

Planning and Affordable Housing Statement

Land South of Barrow Green Road, Oxted

Outline application for a residential development of up to 190 dwellings (including affordable homes) (Use Class C3), an extra care facility with up to up 80 beds (Use Class C2), together with the formation of vehicular access, landscaping, parking, open space, green and blue infrastructure, and all other associated development works. All matters reserved except access

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On behalf of:

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croudacehomes

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1 INTRODUCTION AND EXECUTIVE SUMMARY

The Application Scheme

- 1.1. Our client, Croudace Homes Ltd is seeking outline planning permission for a residential development of up to 190 dwellings (including affordable homes) (Use Class C3), an extra care facility with up to up 80 beds (Use Class C2), together with the formation of vehicular access, landscaping, parking, open space, green and blue infrastructure, and all other associated development works. All matters are reserved except access.
- 1.2. The Scheme secures much needed new homes (including 50% affordable homes, up to 95 dwellings) and older persons accommodation in a location which is recognised (in the Council's 2015 Settlement Hierarchy) as the most sustainable settlement of all in the district. Oxted, alongside its role as the administrative centre of the district, benefits from direct access to the A25, frequent bus services, and train routes to London and elsewhere.
- 1.3. The Application Site is shown edged red on the accompanying Site Location Plan No 3129-A-1000-PL-A and extends to approximately 9.7ha.
- 1.4. Details of the proposed development are provided in section 4 below, along with details of the relevant plans and supporting technical information. The package of information provided includes sufficient detail to evaluate and assess the planning and layout merits of the proposed development.

Pre-application Engagement

- 1.5. The application has been developed through an extensive process of community and stakeholder engagement.
- 1.6. The feedback received via pre-application engagement with Tandridge District Council ("the Council"/"TDC"), in their capacity as the Local Planning Authority as well as the local community and statutory consultees; which comments have informed the evolution of the Scheme design (section 3 below refers).

Environmental Impact Assessment

- 1.7. In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, an Environmental Impact Assessment (“EIA”) Screening Request was submitted to TDC to determine whether or not the proposal amounts to ‘EIA’ Development.
- 1.8. TDC have confirmed their view that the proposal is EIA Development, and accordingly an Environmental Statement (“ES”) has been prepared and has informed the analysis of site constraints and opportunities, and the final proposals. The ES is submitted as part of the suite of application documents.

The NPPF (Dec 2024)

- 1.9. The Application is to be considered in the context of the recently published NPPF (Dec 2024), which sets out a revised approach to addressing the acute and entrenched housing crisis faced across the Country, with Tandridge District proving to be no exception given the current affordability ratio of 12.4¹.
- 1.10. As the Written Ministerial Statement (“WMS”) dated 12 December 2024, made by the Minister of State for Housing and Planning explains, publication of the revised NPPF marks the next step in the Government delivering on their promise to radically reform the planning system.
- 1.11. The WMS states that the measures set out in the revised NPPF reflect the Government's commitment “not to duck the hard choices that must be confronted in order to tackle the housing crisis because the alternative is a future in which a decent, safe, secure and affordable home is a privilege enjoyed only by some rather than being the right of all working people.”
- 1.12. In the circumstances, this planning application is advanced on a Site that the LPA agrees is a sustainable location for growth (with easy walkable access to

¹

<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/bulletins/housingaffordabilityinenglandandwales/2023>

the services and facilities of one of the largest settlements in the district and very good public transport links) and one that is demonstrably in the public interest.

- 1.13. Insofar as the Tandridge District Local Plan is agreed as being manifestly out of date, the Council is tasked with meeting the mandatory local housing need derived from the application of the new standard method.
- 1.14. For Tandridge District Council that requirement is now **843dpa (plus the necessary buffer)** under the new standard method, an increase of 261dpa from the previous standard method requirement of 634dpa. This is a substantial increase compared to the figure which underpinned the adopted Core Strategy (**125dpa up to 2026**).
- 1.15. The latest housing delivery test results were published on 12 December 2024, with Tandridge achieving only **42% of the required housing delivery over the 3 year period 2020-2023**. The requirement, over that period, was 1,716 homes, with only 716 homes delivered over that same three year period.
- 1.16. Pursuant to paragraph 78 National Planning Policy Framework (“NPPF”), as delivery has fallen below 85% over that 3 year period, a 20% buffer is to be added to the standard method housing requirement for the purposes of analysing future supply.
- 1.17. Therefore, the standard method requirement, including the necessary 20% buffer, is **1,012 dwellings per annum**. This is almost 9x the number of annual homes required and planned for in the adopted Development Plan.
- 1.18. The data is clear that housing delivery will need to increase sharply. **Over the past 3 years (2020 -2023) collectively, the Council has only delivered 70% of the new annual requirement which will be required every year until a new spatial strategy is developed, examined and adopted.**
- 1.19. The Council's latest authority monitoring report (May 2024) presents monitoring and housing supply data and indicates the Council had a 5 year supply of 1,464 dwellings (at 1 April 2024). If the Council can produce evidence to justify the delivery assumptions underpinning this figure, there would be a **shortfall of 3,596 dwellings and a supply of only 1.4 years, which is a very substantial**

shortfall.

- 1.20. In so far as there is no strong reason for refusal due to policy protecting areas or assets of 'particular importance' (due to NPPF footnote 7 constraints), the Scheme falls to be determined under the presumption in favour of sustainable development at paragraph 11(d)(ii) of the NPPF.

The Scheme Benefits

- 1.21. As set out in this Planning Statement, the overarching benefit of this scheme is the provision of housing and open space, in a sustainable location, to help meet identified needs within the District.
- 1.22. The scheme accords with the relevant planning policy considerations, including the presumption in favour of sustainable development set out in paragraph 11 (d) of the NPPF.
- 1.23. In assessing the merits of the Application, the benefits of the scheme include the following:
 - Provision of much needed homes in a sustainable location (adjacent to the most sustainable settlement in the district), helping to meet identified housing needs (for both market and affordable housing) in the context of a duty to significantly boost the supply of housing. This includes 50% affordable housing and specialist older persons' housing for which there is clear evidence of need.
 - Compliance with the NPPF's 'Golden Rules' (set out at paragraph 156), which, as directed by paragraph 158 of the NPPF, attracts significant weight in favour of the grant of permission.
 - Provision of new public open space and provision of additional green infrastructure, which links into existing green infrastructure routes, and provides enhanced opportunities for public recreation and additional habitat and ecological corridors.
 - Delivery of homes in an accessible location and delivery of new energy efficient housing stock.
 - Increased local expenditure to sustain local services and facilities.
 - Local job opportunities and increased economic activity in the short, medium and long term.

- The Scheme satisfies the economic, social and environmental roles of sustainable development, as sought by the NPPF.

1.24. These benefits are to be weighed against the harms arising, which include conflict with the Development Plan (in terms of the principle of development) and loss of agricultural land.

Green Belt

1.25. The Applicant's position is that **the Application Site comprises Grey Belt**, with the Scheme satisfying the Golden Rules at paragraphs and 156 to 157 of the NPPF, such that development of the Site in the manner proposed should not be regarded as inappropriate.

1.26. In accordance with the approach set out at paragraph 158 of the NPPF, compliance with the Golden Rules attracts significant weight in favour of the grant of planning permission.

1.27. Local Plan Green Belt policy is inconsistent with the NPPF so is afforded limited weight. The proposal complies with the NPPF, and significant weight is to be afforded to compliance with the Golden Rules.

1.28. In the alternative, should TDC disagree with the conclusion on the Grey Belt status of the Site, following additional assessment and comprehensive analysis of the Green Belt purposes of the Site, the merits of the Scheme would fall to be determined under the Green Belt balance at paragraph 153 of the NPPF.

1.29. In that scenario, any harm to the Green Belt, including (i) definitional harm to the Green Belt, (ii) harm to openness (visual or spatial); and (iii) to any of the Green Belt purposes at paragraph 143 of the NPPF attracts substantial weight.

1.30. In that case, the Scheme would result in (i) definitional harm, (ii) minor harm to visual openness at a site level, and the limited change (given the level of visual containment of the Site) to visual openness of the wider Green Belt, (iii) significant impact on the spatial aspect of openness on the Appeal Site; and (iv) there is also conflict with the third purpose of the Green Belt (safeguarding the countryside from encroachment) (purpose (c)) with the Appeal Scheme

having a moderate impact in this regard.

- 1.31. As required under paragraph 153 of the NPPF, any harm to the Green Belt (definitional and actual) plus any other harm will need to be outweighed by other considerations. That is the balance that has been undertaken.
- 1.32. In that scenario, it is clear that the many benefits derived from the Application Scheme clearly outweigh the identified harms, thus amounting to very special circumstances to justify the grant of planning permission for the development of much needed housing (market, 50% affordable and older persons accommodation), in a sustainable location, in an Authority where there is a chronic need for all types of housing.

Planning Policy considerations

- 1.33. The conflict with Development Plan policy for the location of development (beyond the settlement boundary) and within Green Belt is afforded reduced weight due to (a) the spatial strategy being out of date and inconsistent with the NPPF's aim to boost housing supply and address housing needs; and (b) the Development Plan being consistent with the NPPF with regard to development in the Green Belt.
- 1.34. As set out in the planning balance section of this Statement, the most important Development Plan policies are out of date and there is no strong reason for refusal on footnote 7 grounds.
- 1.35. The tilted balance of paragraph 11(d)(ii) applies. There are no adverse impacts which significantly and demonstrably outweigh the above benefits, when assessed against the NPPF as a whole.
- 1.36. The Site is in a sustainable location (adjacent to the most sustainable settlement in the district), makes effective use of land adjacent to the settlement boundary in a manner which provides for a logical and contained extension to Oxted.
- 1.37. The proposal can bring forward a well-designed extension to Oxted and will provide 50% affordable housing. These matters are given particular regard in

the new wording of paragraph 11(d)(ii).

- 1.38. The Site, and this proposal, fall squarely within the spirit of recent changes to the NPPF.
- 1.39. The Site has been identified by the Council as a sustainable location for development and in accordance with their preferred strategy of focusing growth on larger settlements such as Oxted.
- 1.40. The Site has not only been identified as a sustainable location but is in fact recognised as the most sustainable settlement within the District of Tandridge. As a Tier 1 settlement; growth should rightly be attributed to these locations.
- 1.41. The Site does not play a strong role in terms of the purposes of the Green Belt and its development would not fundamentally undermine the function of the strategic Green Belt.
- 1.42. There is a chronic and substantial housing supply shortfall and affordability issues in Tandridge District, and this proposal can make a significant contribution to market, affordable and older persons' housing needs. There is limited prospect of this housing shortfall being addressed in the short term pending work commencing on a new Local Plan following the withdrawal of Our Local Plan 2033 in February 2024 in response to the Inspector finding the Plan unsound.
- 1.43. This Site differs from Site OXT006 (Land at Chichele Road, Oxted) which was recently dismissed at appeal (PINS ref: APP/M3645/W/24/3345915) (LPA Ref: TA/2023/1345). It is not directly adjacent to the Surrey Hills National Landscape/ AGLV and is does not form part of the setting of the AONB 'valued landscape'.
- 1.44. The Chichele Road appeal was determined under the previous version of the NPPF, which was prior to the introduction of the new Grey Belt provisions and prior to the introduction of the new standard method with the substantially increased housing requirements.
- 1.45. The policy context has fundamentally changed since that time, and there are

persuasive and strong grounds for this Scheme to be considered on its merits, with full regard to this new policy context.

- 1.46. The Government is clear that these reforms represent a “modernised Green Belt policy, fit for the 21st century”² to support delivery of the homes we as a country need.
- 1.47. The proposal should be approved without delay.

Content

- 1.48. The remainder of this Statement is set out as follows:

Section 2: Site Location and Context;

Section 3: Planning History, HELAA Assessment and Pre-Application Process;

Section 4: The Proposed Development;

Section 5: The Planning Policy Context and Material Considerations;

Section 6: Assessment of the Main Issues and Planning Balance; and

Section 7: Summary and Conclusion.

² Angela Rayner, 13 December 2024 Letter to Housing Industry Stakeholders titled ‘Building the Homes we Need’

2 SITE LOCATION AND CONTEXT

District and Settlement Context

- 2.1. The Core Strategy describes Tandridge as a predominantly rural district, with three main built up areas: Caterham; Warlingham/Whyteleafe in the north and Oxted/Hurst Green/Limpsfield just south of the M25 motorway³.
- 2.2. Additionally, there are two 'larger rural settlements' in the south of the district; (Lingfield in the south-east and Smallfield in the south-west), and a number of villages and smaller settlements.
- 2.3. Figure 1, below, is an extract of the Core Strategy's Key Diagram, showing this broad context.
- 2.4. The three built up areas are defined as 'Category 1' settlements in Core Strategy Policy CSP1 (Location of Development). As such, they are the most sustainable locations for development.
- 2.5. The spatial strategy was to direct the majority of development towards these existing built-up areas, making best use of previously developed land (brownfield) within those areas.
- 2.6. Where additional land was needed, growth was to be directed to Green Belt "land immediately adjoining built up areas", so as to focus on land which is most accessible to services, public transport and other infrastructure.

³ Paragraph 2.2 Core Strategy

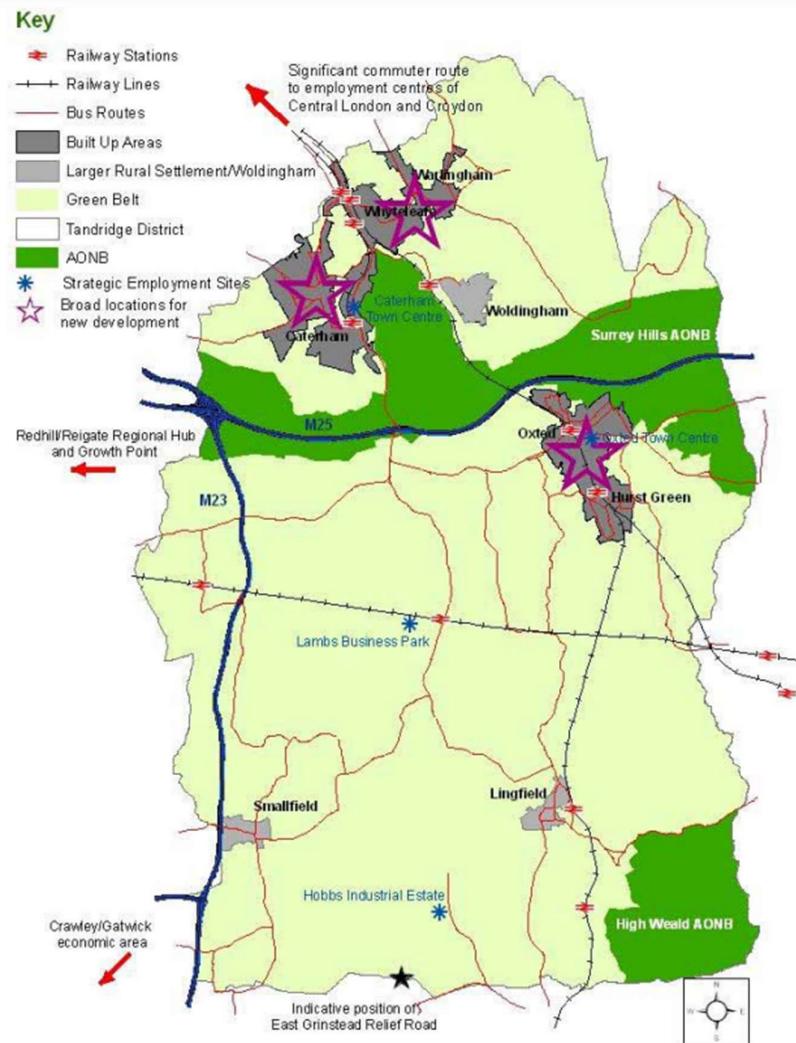


Figure 1 Extract of Tandridge District Council Core Strategy 'Key Diagram'

2.7. The 2015 Settlement Hierarchy report identifies Oxted as the most sustainable settlement within the district. Whilst not as urban as Croydon or Redhill, it is 'urban' in the local Tandridge context:

*"7.31 Although none of the settlements in the district can be considered urban when compared against those such as Croydon or Redhill, Tandridge does have settlements which are large enough and sufficiently developed to be considered **urban in the local context**. The built character and development pattern of these settlements contributes to their **urban nature** which distinguishes them from other settlements in the district.*

7.32 Urban settlements, by their nature, are intended to be sustainable and provide a wide range of services and facilities to meet more than the everyday needs of the immediate community. This can include larger branches of stores, wider employment opportunities and transport hubs which accommodate those who travel in to shop and work or who commute out to other settlements and beyond the district borders. Urban areas are considered to be the most sustainable type of settlement and it is logical to consider those in the district first and how those closest to them are benefitted by proximity.” (our emphasis added in bold)

2.8. The 2015 Settlement Hierarchy report goes on to demonstrate that Oxted is the most sustainable settlement of all in the district:

“7.34 Securing the highest score of all settlements is Oxted and this position is fitting for the administrative centre of the district where the Council Offices are located, that has direct access to the A25 and train routes into London. At its core, Oxted has a defined and varied town centre as well as health care provision, library, employment opportunities and well utilised recreation and community facilities.

7.35 That is not to say that Oxted does not draw on other settlements for its needs, however, this is likely to be through choice maximising on its access to the A25, frequent bus services and the railway links. Oxted residents are able to get direct access to areas such as Caterham, Croydon, London, Redhill, East Grinstead and Sevenoaks. However, given the provisions of Oxted, it is unlikely that such varied access would make the settlement any more sustainable, but does increase its appeal.”

2.9. The district as a whole is significantly constrained by the Green Belt designation (covering 94% of the district), and also the presence of the Surrey Hills and High Weald national landscapes (formerly ‘areas of outstanding natural beauty’/ ‘AONB’). In addition, the designated ‘Area of Great Landscape Value’ (AGLV) acts as a “buffer” which protects the integrity of the national landscape, and has been assessed by the Council to largely have a character similar to the Surrey Hill national landscape itself.

2.10. Figure 2 below shows the extent of these constraints.

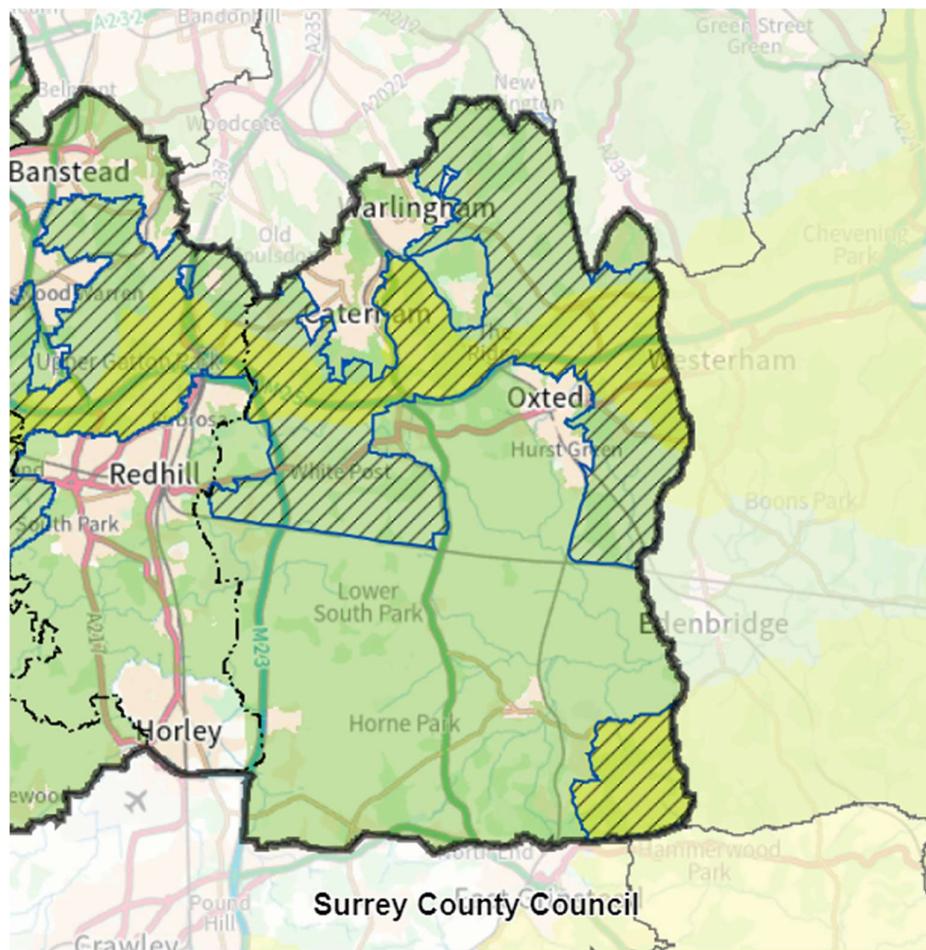


Figure 2 Extract of Surrey County Council Interactive Map showing extent of Green Belt (green shading), national landscape (yellow) and AGLV (blue hatching)

- 2.11. It is notable that the AGLV (hatched blue) wraps around the northern and western side Oxted - the district's most sustainable settlement - and covers an expansive area in the north of the district, where the large built up areas are situated. It is clear therefore, that **landscape sensitivity poses a constraint to the delivery of growth around the large built up areas of Tandridge**.
- 2.12. In the case of Oxted, for example, it is clear that the ability to expand to the north or east of the settlement will be constrained, and that **growth will likely need to be focused to the west or south of the settlement of Oxted⁴**.

⁴ The recent dismissal of APP/M365/W/24/3345915 (HELAA site OXT006 to the east of Oxted) partly on landscape grounds is evidence of this.

- 2.13. The Application Site is situated to the west of Oxted, beyond the national landscape and AGLV. It therefore represents an important opportunity to deliver growth in a highly sustainable location without introducing built form into a sensitive/valued landscape.
- 2.14. The Council's Landscape Capacity and Sensitivity Study concluded that the Site is of moderate value and moderate sensitivity and that it has medium landscape capacity for housing development.
- 2.15. Further analysis of the planning policy context and planning balance is set out below in sections 5 and 6.

Site Location and Description

- 2.16. The Application Site is situated to the west of Oxted town centre and comprises an irregularly shaped 9.7ha parcel of arable farmland.
- 2.17. The Site lies directly adjacent to the settlement boundary of Oxted, with built form of the settlement wrapping around the Site, to the south, east and north.
- 2.18. To the south there are residential properties on Wheeler Avenue; to the east is the graveyard of St Mary's Church and the Church itself (Grade I Listed).
- 2.19. The Oxted Railway Line passes the north Site boundary and beyond this is residential built form. West of the Site there is a pocket of woodland (ancient woodland, The Bogs) and more sporadic residential dwellings.
- 2.20. There is an existing vehicular access onto Barrow Green Road to the north. A public right of way ("PRoW") crosses the Site from the south-east corner to the northern boundary providing pedestrian access and connectivity in either direction. The Site is in a highly sustainable location, being an easily walkable distance to a number of local services and facilities including:
 - St Mary's Church of England Primary School (approx. 250m)
 - Hazelwood Nursery and Pre-School (approx. 450m)
 - Oxted Secondary School (500m)

- Oxted Health Centre (approx. 700m)
- Master Park recreation ground and pavilion (approx. 150m)
- Oxted Community Centre (approx. 100m).

2.21. In terms of accessibility, it is a 6 minute walk from the Site to Oxted train station, providing regular services to London Bridge, London Victoria and East Grinstead. There is also a bus stop within 4 minutes' walk, providing connectivity to bus routes 410, 410A, 594, 595 and 612 (to Redhill, Holland and Domewood).

2.22. A small stream runs along the western boundary of the Site but the Site itself is wholly within Flood Zone 1 (lowest risk of flooding). There are some limited areas where surface water collects and these are addressed in the Drainage Strategy. Furthermore, a Sequential Test has been taken (and a sequential approach taken to the design and layout).

2.23. There are dense trees and hedgerow to the east, south and western extents of the Site, with significant landscape buffers around the perimeter of the Site. The Site itself is not covered by any wildlife designations. The area known as 'The Bogs' (to the south-west of the Site) contains ancient woodland and Site of Importance for Nature Conservation but the proposal has been sensitively designed to avoid adverse impacts, as detailed in the ES and submitted ecology reports.

3 PLANNING HISTORY AND PRE-APPLICATION PROCESS

Planning History

- 3.1. The planning history of the Site is limited to an unsuccessful application in 1973, for a residential development on 22 acres (reference GOR/449/73). Details are unavailable on the Council's electronic files. In any event, given the age and much altered policy context, this historic application is of limited relevance to determination of this application.

HELAA and 'Our Local Plan 2033' (now withdrawn)

- 3.2. The Site was initially assessed by the Council, in the 2015 Housing and Economic Land Availability Assessment ("HELAA") under site reference OXT007. TDC were of the view the Site was suitable, in principle, for development and was available, achievable and developable. A similar conclusion was reached in the 2016 HELAA; see 'HELAA 2016 Appendix 3 Deliverable and Developable Sites', which concluded that there was capacity for up to 250 dwellings on the Site, and the Site was available, achievable and developable. On the question of suitability, the HELAA 2016 said as follows:

"The site slopes broadly from east to west, but the topography would not prevent development and though there are a number of Tree Preservation Orders on the site, this would not prevent development, either. The developable area has been reduced slightly in order to maintain a 15 metre buffer from ancient woodland on the south western boundary of the site. The site can be accessed from Barrow Green Road and Wheeler Avenue. A third access exists off Court Farm Lane but this unlikely to be wide enough to support development of the site on its own. The site is considered able to accommodate development, but as it is currently in the Green Belt this would have to change in order for the site to be developed."

- 3.3. The HELAA was further updated in 2017-2018 (Appendix 3 of which sets out the site assessment for OXT007); the conclusions regarding the Site remained unchanged, but with the addition of the statement that the "**Site is in accordance with the Preferred Strategy**" which demonstrates the Council's view that the Site is in a sustainable location, adjacent to a large built up area.

- 3.4. A similar conclusion was reached in regard to OXT006, another site to the east of Oxted. However, permission has recently been refused for development on that site, under the previous NPPF Green Belt provisions. Landscape sensitivity was one factor in that decision, which demonstrates the constraints which exist around Oxted, particularly to the east of the settlement. We discuss this other site later in this statement.
- 3.5. At this juncture it is helpful to note that there are key differences between that site (OXT006) as and the Application Site (OXT007).
- 3.6. The Appeal Inspector, in dismissing the proposal for 116 dwellings on OXT006 (APP/M3645/W/24/3345915; Land at Chicele Road, Oxted, RH8 0NZ), concluded that that site forms an important part of the rural scene at the edge of the settlement, and contributes positively to the setting of the AONB/national landscape and the AGLV (para 33 of the appeal decision).
- 3.7. The Inspector's findings emphasise the extent to which there are limited options to bring forward growth around Oxted – despite its position in the Settlement Hierarchy (as a sustainable location for growth).
- 3.8. As confirmed in the EIA Scoping Opinion associated with this application proposal (2024/956/EIA) this Site is separated from the AONB: “The intervening area between the AONB to the north and proposed development site is developed.
- 3.9. Consequently, the visual impact of the proposed development may be shown in the application not to be significant.”
- 3.10. For completeness, we note that the later Interim HELAA reports (2019, 2020, 2021) assessed additional site options, but these reports are stated to supplement the 2017/2018 HELAA report. As such, the approach to OXT007 in the 2017/18 HELAA report remains the most up to date.
- 3.11. As confirmed at paragraph 329-330 of the Housing Topic Paper associated with ‘Our Local Plan 2033’ (which was subsequently withdrawn) the Council proposed allocation of only 14 sites (which would deliver 1033 dwellings) in edge of settlement locations, out of a total of 43 edge of settlement sites which

were identified as being suitable for development (which would collectively have delivered 3,655 dwellings).

- 3.12. In addition, the Council also identified a broad location in the South Godstone area for the development of a Garden Community development, which could have delivered approximately 1400 dwellings. OXT007 and OXT006 were not proposed for allocation. It was not considered there were exceptional circumstances justifying their release from the Green Belt at that time. That plan was found to be unsound and has subsequently been withdrawn.
- 3.13. The Green Belt Assessment Part 3 (June 2018) set out the Council's position regarding the existence of exceptional circumstances for release of 'suitable' Green Belt sites as part of the now withdrawn Local Plan 2033. OXT007 and OXT006 were considered (see map on page 42 of that report) but the Council's view was that there no exceptional circumstances justifying their release.
- 3.14. As explained at paragraph 52 of that report, the Council accepted there were exceptional circumstances for release of Green Belt, in principle, but only for 15 out of the 69 housing sites. The only site at Oxted was OXT021, to the south. As such, OXT007 (this application Site) (and indeed OXT006, the subject of recent dismissed appeal) were found not to warrant release from the Green Belt based on the level of housing being planned for. As noted above, that strategy, and that level of housing was found unsound, and therefore, the conclusion regarding exceptional circumstance for release is of very limited weight; it was based on assessment of need/ housing delivery at an unsound level.
- 3.15. The Inspector's report on Our Local Plan 2033 notes that the strategy/ proposed extent of Green Belt release was based on an objectively assessment need of just 9,400 dwellings over the 2013-2033 plan period (or **470 new homes per annum**). As identified in this Planning Statement, there is now a requirement, under the new standard method, for **1012 dwellings per annum**. It is clear, therefore, that the question of exceptional circumstances for Green Belt release will need to be revisited entirely as part of the new emerging Local Plan, and the previous conclusions (particularly in respect of OXT007) hold little relevance.

3.16. Since then, the national policy context has also moved on significantly, with the Government making clear via changes to the NPPF that local planning authorities will be expected to review Green Belt boundaries and that “exceptional circumstances” for Green Belt release includes, but is not limited to, “instances where an authority cannot meet its identified need for homes...” In such a case “authorities should review Green Belt boundaries in accordance with the policies in the [NPPF] and should propose alterations to meet these needs in full, unless the review provides clear evidence that doing so would fundamentally undermine the purposes (taken together) of the remaining Green Belt, considered across the area of the plan.” (NPPF para 146).

Pre-Application Process

3.17. The Applicant has engaged in pre-application consultation with the Council, key stakeholders and the community prior to submission of this application. The feedback received has informed the content of the Application as now submitted.

3.18. In 2022 the applicant sought pre-application advice from the Council in respect of a proposal for 250 dwellings at the Site (Reference PA/2022/272). A meeting was held with Council officers in December 2022, and the officers issued their advice in June 2023.

3.19. As a result, the Applicant and their technical team reviewed the approach taken and undertook further technical analysis of the site constraints and opportunities, and revised the proposal, reducing the number of proposed dwellings to 190 and included a care home.

3.20. A second pre-application meeting was held in June 2024 to discuss the revised proposals (Reference PA/2024/10) and the feedback taken into account in the final proposals now submitted. The design evolution and changes made is detailed in both the Design and Access Statement, and the Environmental Statement.

3.21. Alongside the ongoing engagement with the Council, the technical team have consulted with key stakeholders including Surrey County Council, in their

capacity as the highway authority, the Environment Agency and Historic England. Where relevant, details of engagement undertaken and feedback received are set out in relevant application reports.

- 3.22. Extensive community consultation has also been undertaken to inform the content of the application. An initial consultation exercise was undertaken from 5 to 19 July 2023, with a further consultation on the revised proposals undertaken between 3 – 28 July 2024. In total over 320 consultation responses were received and considered.
- 3.23. Overall, the scheme represents a materially improved proposal following a positive pre-application process. How the scheme responds is detailed further in the below sections of this statement.

EIA Screening

- 3.24. In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, an Environmental Impact Assessment (“EIA”) Screening Request was submitted to TDC to determine whether or not the proposal amounts to ‘EIA’ Development.
- 3.25. TDC have confirmed their view that the proposal is EIA Development and scoped the following technical disciplines into the EIA process:
 - Socio-economics;
 - Air Quality;
 - Noise and Vibration;
 - Traffic and Transport;
 - Ecology;
 - Built Heritage;
 - Landscape and Visual Impact.
- 3.26. Accordingly, an Environmental Statement (“ES”) has been prepared, covering the required technical disciplines. This process has informed the design evolution prior to finalisation of the application plans. The ES is submitted as part of the suite of application documents.

4 THE PROPOSED DEVELOPMENT

General and Plans

- 4.1. This outline application has been developed and informed following pre-application discussions with Council officers, engagement with the public and a thorough review of the opportunities and constraints afforded by the Site.
- 4.2. The Proposed Development is described as follows:

“Outline application for a residential development of up to 190 dwellings (including affordable homes) (Use Class C3), an extra care facility with up to up 80 beds (Use Class C2), together with the formation of vehicular access, landscaping, parking, open space, green and blue infrastructure, and all other associated development works. All matters reserved except access.”

- 4.3. Only the principle of developing the Site for the stated land uses (including up to 190 dwellings and 80 bed extra care home), and the means of access to the Site are to be determined as part of this outline application.
- 4.4. Appearance, layout, scale and detailed landscaping proposals are reserved for subsequent determination, via submission and approval of reserved matter applications.

The Application Scheme Plans

- 4.5. The Proposed Development is set out on the following plans (to be approved as part of the application):
 - i) Site Location Plan Ref 3129-A-1000-PLA
 - ii) Land Use Parameter Plan Ref 3129-A-1200-PL-C
 - iii) Access Plans Nos107491 PEF XX XX D H 0300, 107491-PEF-XX-XX-DR-H-0200 and 107491 PEF XX XX D H 0300 (in Appendix C to Transport Assessment).

Supporting Plans (for Informative Purposes)

- 4.6. Supporting plans, submitted for informative purposes only, comprise the following:

- i) 3129-C-1005-PL-B Illustrative Masterplan
- ii) 3129-C-1006-PL-B Illustrative Masterplan in Context
- iii) 6514_100_A Illustrative Landscape Strategy

The Design Approach

4.7. As detailed in the Design and Access Statement, the vision for the proposal includes delivery of a new community in an extremely sustainable location (close to central Oxted). The design approach has sought to integrate the proposal with the existing street pattern (to ensure permeability and connections with the surrounding streets) and with the Site's landscape setting.

4.8. A key design driver has been the need to respect the setting of the Grade I listed St. Mary's Church and create viewing corridors where possible to the tower. Furthermore, the design approach seeks to deliver high quality design befitting the location and reflecting the local character of Oxted. For further information on the design approach and the analysis of site context and local character, and how this has informed the design, is set out in the Design and Access Statement.

4.9. As explained in the accompanying DAS, the Illustrative Masterplan has evolved pursuant to a detailed analysis of the Site's character, opportunities and constraints.

4.10. This has resulted in the Illustrative Masterplan proposing the following principle components:

1. Landscaped open space proposed around existing pedestrian and cycle access via public right of way, connecting with Court Farm Lane;
2. Linear green route comprising of existing PRoW within tree lined green corridor including swales for surface water drainage;
3. All built form along linear green route designed to front directly onto the route to maximise activity and overlooking of route and promotion of sustainable travel modes into central Oxted
4. Nodal junction in centre of development joining linear route with green street leading to main vehicle arrival on Barrow Green Road. Key focal buildings designed to hold corners of space and provide frontage to both routes leading onto the nodal point;

5. Dwelling density and scale dissipates to the north along the linear route to reflect the outer edge of the development and rural setting;
6. Main vehicle access into development from Barrow Green Road;
7. Low density detached dwelling frontage orientated to face towards northern edge and arrival space;
8. Tree lined green street through northern development area;
9. Proposed location for Extra Care Home – built form should be located to front onto key corner and street frontage with rear of site reserved for landscaped private gardens backing onto boundary with adjacent burial ground;
10. Residential 'lane' style streets 'siding' onto eastern edge to provide appropriate treatment to boundary – some limited surveillance and overlooking of adjacent footpath route whilst respecting sensitive edge with burial ground;
11. Secondary vehicle access into site from Wheeler Avenue, providing access to the southern development parcels only;
12. Arrival space designed around new access from Wheeler Avenue with opportunities for new planting;
13. Existing mature tree retained and treated as a landscape asset within the design of the open space centrally located to the development; surrounding dwellings to face towards the tree whilst respecting RPAs;
14. Opportunity for green corridor through the development area forming a link from the outer edge of the site through to the linear PRoW route;
15. Landscaped buffer area proposed as public open space with opportunities for SUDs attenuation;
16. Informal pedestrian routes through southern area of open space potentially design as 'boardwalk' style routes to ensure they can be used all year round;
17. Area of public open space where development edge set back from northern boundary, allowance for new tree planting within space to provide natural screening of new development from views from the north and north-west;
18. Lower density dwellings proposed facing towards the outer edges of the site along the landscape buffer to the west and north; mainly detached houses with hipped roofs and parking/garages to the side to provide gaps in the street scene and reduce massing of new built form facing the development edge, good natural surveillance.

4.11. The concept design outlined a series of principles for the proposed development, and as part of this, the development of the Framework

masterplanning process has identified a series of key spaces that are central to the emerging designs and aspirations to provide a high quality new development.

- 4.12. These spaces will lead the formation of a set of character areas, upon which building and landscape typology, design and appearance should be specifically designed to suit each character area.
- 4.13. The key spaces across the development are as follows:
 1. St. Mary's arrival – an intimate area of open space providing access with Court Farm Lane with buildings informally set around an area of open space to provide surveillance and frontage onto pedestrian route.
 2. Central nodal space- junction of PRoW corridor with eastwest green street; priority to be given to PRoW with road narrowing, change of surface and potential raised surface up to PRoW to reduce vehicle speeds and highlight pedestrian/cycle priority in this space.
 3. Barrow Green arrival – arrival into development from Barrow Green Road across attractive landscaped space, with buildings set back from the main road to provide frontage and outlook onto open space.
 4. Ash Green – 'linked' space around the mature Ash Tree to the centre of the site, with green corridor extending towards the PRoW and the southern landscape buffer.
 5. Wheeler Avenue arrival – attractive space designed to incorporate new planting within a small landscaped space, with a collection of buildings placed around the space.
 6. Woodland Edge - a 'contained' landscaped space with adjacent woodland along the western edge opposite the new built form, which will provide a rich and unique character to this part of the site.

- 4.14. A set of character areas has been proposed across the development to ensure the design of the buildings and landscaping, and the application of materials can help convey character, assist wayfinding, and provide variety and visual interest around the development.
- 4.15. The design principles proposed within the DAS are accompanied by a 'Design Commitment' Statement' which has been prepared to guide the detailed scheme design at the reserved matters stage. It establishes a set of core design principles that will ensure the delivery of a successful and integrated development.

Proposed Land Uses

- 4.16. Based on the aforementioned matters, and having regard to the on-site opportunities and constraints informing the proposed development, the proposed land uses are summarised in the table below.

Land Use	Area
Land for Housing	Approx. 5.4ha
Land for 80-bed Care Home	Approx. 0.6ha
Green Infrastructure (landscape amenity green space, including SuDs).	Approx. 3.7ha
Total Site Area	Approx. 9.7ha

- 4.17. This results in an average net residential density of 35dph (190 dwellings/5.4ha).
- 4.18. The proposed dwellings and care home will have a maximum height of 2.5 storeys.

Summary of Supporting Material

- 4.19. As set out above, a range of technical studies and reports have been undertaken and prepared in support of this Application.
- 4.20. Some of these are standalone reports and others take the form of a technical

chapter within the Environmental Statement, as set out below:

Standalone Reports:

- Design & Access Statement (Omega Architects) and Design Commitment Statement;
- Flood Risk Assessment and Drainage Strategy (Motion);
- Sequential Test (RPS);
- Transport Assessment (including Site Access Plans) and Travel Plan (Pell Frischmann);
- Heritage Impact Assessment and Archaeological Desk Based Assessment (RPS);
- Preliminary Ecological Appraisal and Protected Species Surveys reports (The Ecology Partnership)
- Biodiversity Net Gain Statement and Metric Calculation (The Ecology Partnership)
- Energy Strategy (Energist UK)
- Arboriculture Impact Assessment (Barton Hyett Associates)
- Older Persons Needs Assessment (Tetlow King);

Environmental Statement, comprising:

- Volume 1: Non Technical Summary
- Volume 2: Main Report:
 - Chapter 1 – Introduction
 - Chapter 2 – The Site
 - Chapter 3 – EIA Methodology
 - Chapter 4 – Alternatives Considered and Design Evolution
 - Chapter 5 –The Proposed Development and Construction Overview
 - Chapter 6 – Socio-economics
 - Chapter 7 – Air Quality
 - Chapter 8 – Noise and Vibration
 - Chapter 9 – Traffic and Transport
 - Chapter 10 – Ecology
 - Chapter 11 – Heritage
 - Chapter 12 – Landscape and Visual Impact
 - Chapter 13 – Effect Interactions
 - Chapter 14 – Residual Effects and Conclusions
- Volume 3: Technical Appendices.

4.21. The content of the technical reports submitted in support of this application are summarised below.

Design & Access Statement

4.22. The Design and Access Statement (“DAS”) provides a description and visual

overview of the Site context, architectural character of the area, and rationale behind the evolution of the Scheme design in response to the identified constraints and opportunities afforded by the Site.

Flood Risk and Drainage Strategy

- 4.23. The Flood Risk Assessment and Drainage Strategy (“FRA and DAS”) prepared by Motion details the drainage and flood risk matters including the baseline conditions, the overall flood risk posed and scope for mitigation. The Site is wholly within Flood Zone 1, indicating there is a low risk of flooding from the rivers/ sea (less than 1 in 1000 (0.1%) chance).
- 4.24. The Site is also predominantly at ‘very low risk’ of surface water flooding (less than 1 in 1000 chance of flooding each year). However, there is a low, medium and high risk surface water flood flow path through the western half of the Site which has an elevated risk (between 1 in 1000 and 1 in 100, between 1 in 100 and 1 in 30 and more than 1 in 30 chance of flooding each year respectively). This risk can be mitigated by implementation of the measures set out in the Drainage Strategy, following which the report concludes there will be no risk of surface water flooding to the proposed development on site, or increased risk of surface water flooding off site. The drainage strategy will look to use pervious pavements, geocellular storage/soakaways and open SuDS (swales, detention basins, infiltration basins and a pond) for the attenuation of surface water runoff.
- 4.25. Additionally, the likelihood of groundwater flooding has been assessed as being low.

Sequential Test

- 4.26. Given the presence of some localised areas of surface water on the Site a sequential test has been undertaken Whilst there are, inevitably, other sites in the district which are sequentially preferable in hydrological terms, there is an insufficient number of ‘reasonably available’ sites which would address the extent of the housing shortfall in Tandridge.

Transport Statement

- 4.27. A Transport Assessment (Pell Frischmann) has been prepared and submitted

with the Application.

- 4.28. The assessment concludes that the proposed development would not have a material impact on the local highway network and is compliant with all relevant local, regional and national policy guidance.
- 4.29. There are a large number of local services and amenities within appropriate walking and cycling distance of the Site; the pedestrian network around the Site is of good quality and traffic speeds and topography of key routes to the south are conducive to cycling. Bus stops are available within walking distance of the Site.
- 4.30. The junction capacity assessments undertaken demonstrate that the traffic generated by the proposal will not result in material impacts on the key junctions.
- 4.31. A draft Travel Plan has also been prepared and provides a package of measures aimed at promoting sustainable travel and reducing car reliance among residents of the proposed development.

Heritage and Archaeology

- 4.32. A Heritage Impact Assessment and Desk Based Archaeological Assessment have been carried out (RPS).
- 4.33. In terms of Built Heritage, it was identified at an early stage that development on this Site has the potential to affect the setting (and therefore the significance) of three heritage assets; Church of St Mary the Virgin (Grade I Listed); Court Farm house (Grade II) and Blunt House (Grade II).
- 4.34. The assessment concludes that the Site, at present, makes a limited contribution to the significant of the Church of St Mary the Virgin, as a remnant of its historic rural setting, and the views afforded to the same. This element of the setting will be altered by the proposal development, changing the approach from the north-west. The scale of harm is assessed as being 'limited' and 'less than substantial'. As such, the NPPF directs, at paragraph 215, that this harm

should be weighed against the public benefits of the proposal. This heritage balancing exercise is addressed further below.

- 4.35. Turning to Archaeology, the assessment concludes that the proposal is unlikely to have a substantial negative impact or cause significant harm on any underlying archaeological assets, as survival of those assets is expected to be localised and mainly associated with the Medieval and Post Medieval evidence of agricultural activity/ land management (which are likely to be considered of low/ local significance only).
- 4.36. The Applicant's advisors have consulted with the Council's archaeological advisor, who has recommended that any further archaeological work could be secured by condition on the grant of this outline application.

Ecology

- 4.37. A Preliminary Ecological Appraisal is submitted with the application, alongside protected species reports relating to reptiles, dormice and bat activity.
- 4.38. A Biodiversity Net Gain Metric Calculation is submitted with the application, alongside a Biodiversity Net Gain Feasibility Assessment report. The calculations show that the proposed development has the potential to deliver a **+15.30% net gain** in habitat units and a **+271.39% net gain** in hedgerow units, and **+21.31% net gain** in watercourse units, and all trading rules can be satisfied. This assessment will be reviewed and updated at reserved matters stage once there is a developed layout and landscaping strategy.
- 4.39. A separate Ecological Impact Assessment (EIA) has been carried out and reported in the Environmental Statement.

Energy/Climate Change

- 4.40. An Energy Strategy has been prepared and is submitted with the application (produced by Energist). This sets out the sustainability aspirations and goals of the Proposed Development (noting that the 190 dwellings and 80 bed extra care home are submitted in outline at present, with further design detail to follow at reserved matters stage).

- 4.41. As detailed in the strategy, the Applicant has adopted a number of measures to achieve significant CO₂ emission reductions in this development including alignment with the Future Homes Standard (FHS, for energy efficient homes). This requires that new homes produce 75-80% less carbon emissions compared to those built to the Approved Document L (AD L) 2013.
- 4.42. This supports the development of '**zero carbon ready**' homes, which will not require retrofitting to become zero carbon as the electricity grid decarbonises. It is proposed that individual air-source heat pumps (ASHPs) be used to ensure efficient, low carbon space heating and hot water in the new dwellings. Solar PV will also be utilised. Collectively these 'fabric first' and renewable energy measures generate a 77.9% reduction in CO₂ emissions.

Arboriculture

- 4.43. An arboriculture impact assessment has been prepared (Barton Hyett Associates) and is submitted with the application, together with a Tree Constraints Plan and Survey Schedule which provide detail on the individual/groups of trees within the Site. As detailed in section 6 of the report, a very limited amount of tree removal is required to facilitate the development to provide access to the north and south.
- 4.44. All protected trees and the area of ancient/ semi-natural woodland will be retained.
- 4.45. It will be necessary to remove three sections of hedgerow in order to achieve suitable, safe highway accesses into Site: 15 linear metres of H7 (moderate quality) (as shown on the Tree Constraints Plan) and 5 linear metres of H6 (also moderate quality) would be removed to provide the northern access onto Barrow Green Road.
- 4.46. Creation of the southern access onto Wheeler Ave would require removal of circa 7 linear metres of H1 (low quality).

4.47. The extent of these losses is considered minimal and the arboriculture's view is that the loss would have negligible impact on the Arboricultural resources of the Site, with mitigation provided with replacement planting.

4.48.

Older Persons Needs Assessment

4.49. This report (produced by Tetlow King) sets out an assessment of the local need for specialist care accommodation within Tandridge now and up to 2040, as well as providing a more immediate picture of need over the 5 year period up to 2027.

4.50. The assessment indicates that there is a significant under supply at present of personal care beds, which is set to increase not only by 2027 but significantly so by 2040.

4.51. In respect of nursing care beds, the current provision results in an oversupply which remains as of 2027, with a relatively small under provision by 2040. However, when current provision is assessed in terms of only those beds meeting the modern requirements of single occupancy ensuite rooms, then the provision changes to a considerable under-supply within both sectors.

Environmental Statement (ES)

4.52. The ES comprises 3 volumes; Volume 1 is a non-technical summary, Volume 2 is the Main Report of the ES and Volume 3 contains a number of technical appendices which support the individual chapters set out in the Main Report.

4.53. The ES sets out detail on the Site, the Proposed Development (including the construction and operational phases), the EIA Methodology and the alternative proposals considered and how the design has evolved.

4.54. The technical disciplines each then form an individual chapter of Volume 2, and cover socio-economics, air quality, noise and vibration, traffic and transport, ecology, heritage, landscape and visual impacts.

4.55. The ES also includes an assessment of cumulative effects ('effect

interactions'). The suite of recommended mitigation measures are clearly set out in Volume 2, Chapter 14, to assist the LPA and statutory consultees. That chapter also sets out, in table 14.2, the residual effects which are predicted after the adoption the recommended mitigation measures. In summary these are:

- Socio-economics: moderate – minor beneficial effects during the operational phase due to the provision of housing and the effects on the local economy of additional local spending.
- Air Quality: no significant residual effects.
- Noise and Vibration: no significant residual effects
- Traffic and Transport: no significant residual effects
- Ecology: no significant residual effects
- Heritage: no significant residual effects
- Landscape and Visual Impact: moderate – major temporary adverse effects during the construction phase (due to change in landscape pattern and character and selected viewpoints; major adverse effects during the operational phase due to the change in landscape pattern and character, and moderate- major effects on selected viewpoints. The Year 15 assessment demonstrates that as the landscaping scheme grows and matures the corresponding LVIA effects would reduce.

5 PLANNING POLICY CONTEXT AND MATERIAL CONSIDERATIONS

General

- 5.1. This section summarises the planning policy position against which the acceptability of the scheme is determined. It sets out relevant Development Plan policy, and other material considerations before going on to provide an assessment of the main issues for determination, with regard to those policies and material considerations, and the detail provided in the application package.
- 5.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) requires, by statute, that planning applications be determined in accordance with the Development Plan unless other material considerations indicate otherwise.

The Development Plan

- 5.3. The Development Plan, for the purposes of s38(6) PCPA 2004 comprises the following adopted/ made plans.
 - Tandridge District Core Strategy 2008;
 - Tandridge Local Plan Part 2: Detailed Policies 2014-2029.
- 5.4. Listed below are the specific policies considered to be relevant to determination of this application. More detailed analysis of the policy requirements and compliance with the same follows in the assessment section of this statement.
- 5.5. As the application is submitted in outline (save for access), matters associated with more detailed design of the site layout will be elaborated upon at the reserved matters stage.

Tandridge District Core Strategy 2008

CSP1 (Location of Development)

CSP4 (Affordable Housing)

CSP7 (Housing Balance)

CSP11 (Infrastructure and Services)
CSP12 (Managing Travel Demand)
CSP13 (Community, Sport and Recreation Facilities/ Services)
CSP14 (Sustainable Construction)
CSP15 (Environmental Quality)
CSP17 (Biodiversity)
CSP18 (Character and Design)
CSP19 (Density)
CSP20 (AONB)
CSP21 (Landscape and Countryside)

Tandridge Local Plan Part 2: Detailed Policies 2014-2029

DP1 (Sustainable Development)
DP5 (Highway Safety and Design)
DP7 (General Policy for New Development)
DP10 (Green Belt)
DP19 (Biodiversity, Geological Conservation and Green Infrastructure)
DP20 (Heritage Assets)
DP21 (Sustainable Water Management)
DP22 (Minimising Contamination, Hazards and Pollution)

5.6. Further analysis of the policy requirements, compliance with the same, and other material considerations, is provided in Section 6, below.

Other Material Considerations

5.7. Section 38(6) PCPA also requires that other ‘material considerations’ be weighed in the planning balance. The relevant material considerations are summarised here, and elaborated further below in Section 6 (which undertakes an assessment of the scheme against policy and other material considerations).

5.8. Material considerations which are relevant to the determination of this application include the following:

- The National Planning Policy Framework (NPPF) (Dec 2024); and the Government's response to the July 2024 consultation on changes to the NPPF, which sets out further explanation of the rationale for the changes made in December 2024;
- Written Ministerial Statements regarding the housing crisis and the importance of boosting housing supply, as detailed in this statement;
- Tandridge District Council Interim Policy Statement for Housing Delivery (IPSHD) (2022) which sets out criteria for housing proposals on unallocated sites. In recent appeal decision APP/M3645/W/24/3345915 (Land at Chichele Road) the Inspector treated this as a material consideration (as it sets out a mechanism for addressing housing need) but limited the weight given, on the basis that the IPSHD does not form part of the Development Plan (paragraph 9 of that decision) and on its own is "unlikely to be sufficient to address the scale of the shortfall." (paragraph 76 of that decision).
- Decision of Tandridge Council (Full Council) on 18 April 2024 to commence work on a new Local Plan and outputs of this process, including the Local Development Scheme (June/July 2024) which sets out timescales for production and adoption of a new spatial strategy and plan. It was anticipated that the plan be submitted for examination by Q3 2026/27. In recent appeal decision APP/M3645/W/24/3345915 (Land at Chichele Road, 11 December 2024) the Inspector noted, at paragraph 77 of the decision, that "the Council has now embarked on the preparation of a new local plan...with a view to subject it for examination in Q3 2026/27. However, it will still be several years until a new local plan is adopted and, in the meantime, the problems associated with an under supply of housing (including difficulties with accessing housing, increased house prices, worsening affordability...), as evidenced by the appellant.)
- Evidence base documents produced in connection with 'Our Local Plan 2033' (which was subsequently withdrawn); of particular relevance to determination of this application and the principle of development on this Site is:

- Green Belt Assessment (Parts 1 to 3);
- Landscape Sensitivity and Capacity Study - Oxted North (2016);
- Settlement Hierarchy 2015 and Addendum 2018;
- Urban Capacity Study and the Brownfield Register (2018);
- Housing Need evidence base documents;
- HELAA – the conclusions regarding this Site are set out in this statement.

- Inspector's Report in connection with 'Our Local Plan 2033' dated February 2024;

- Housing Delivery Test results and Housing Land Supply position as set out in the Authority Monitoring report 2023/204 (May 2024) and any subsequent update

- Other decisions and appeal decisions⁵; and

- Tandridge District Council Supplementary Planning Documents (SPDs); including the Parking Standards SPD (2012) and Trees and Soft Landscaping SPD (2017).

5.9. Section 6, below, sets out an analysis of the key issues with regard to relevant Development Plan policy and other material considerations as identified above. In summary, the results of that analysis demonstrate that:

- The Application Site is in a highly sustainable location, adjacent to the most sustainable settlement in the district, but is outside the settlement boundary and therefore treated in policy terms as being in the 'countryside'. As such, development conflicts with the Development Plan;
- There is clear evidence of a pressing need for the development which is proposed on the Site and it is widely accepted that should development

⁵ Of particular relevance are APP/M3645/W/24/3345915 Land at Chichele Road Oxted, (11 December 2024 – under the previous NPPF) which relates to HELAA site OXT006; and APP/M3645/W/23/3319149 Land at The Old Cottage, Station Road, Lingfield RH7 6PG. (Oct 2023)

come forward as proposed, the future occupants would have ready access to a range of services and facilities and public transport, such that the development would be sustainably located despite its 'countryside' location.

- The spatial strategy is accepted as being out of date because it pre-dates, and is inconsistent with the NPPF. That strategy planned for a level of housing which falls significantly below current levels of housing need (approximately 12% of the annual requirement). Furthermore, delivery rates have fallen well below the levels planned for, and future supply is also chronically short. The Council cannot demonstrate an up-to-date five year supply of deliverable sites for housing (as confirmed in the appeals identified at footnote 2). As such, paragraph 11(d) NPPF is triggered. There are no footnote 7 matters which provide any strong reason for refusal for the purposes of paragraph 11(d)(i). As such, and in accordance with paragraph 11(d)(ii) planning permission should be granted unless the adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole, "having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination."
- In *Suffolk Coastal DC v Hopkins Developments Ltd [2017] UKSC 37* Lord Carnwath's judgement confirms at paragraph 63 that the weight to be attached to restrictive policies, such as countryside and landscape policies can be reduced where they are derived from settlement boundaries that in turn reflect out of date housing requirements. There are obvious parallels with Tandridge where the adopted housing strategy derives from an assessment of housing need that pre-dates the introduction of the NPPF in 2012.
- In the circumstances, the weight attributable to the conflict identified with Policy CSP1 and DP10 is reduced insofar as the settlement boundaries reflect out of date housing requirements, and the Green Belt policy (DP10) is inconsistent with the NPPF, not providing for any the development of Grey Belt land.

- The Site is 'Grey Belt' and its development is not regarded as 'inappropriate' in the NPPF. It complies with the Golden Rules, and the NPPF directs that this attracts significant weight as a benefit.
- Even if, contrary to our conclusion, the Site was found not to comprise 'Grey Belt' (in accordance with the NPPF Annex 2 definition), the proposal still complies with national Green Belt policy as there are very special circumstances ("VSC") which justify the grant of permission.
- Whilst there will inevitably be some landscape impact resulting from the Scheme, this is to be expected if the Council is to demonstrate a five year supply of deliverable housing land, in a scenario where they accept development on greenfield sites beyond defined settlement boundaries is necessary in order to meet housing need. However, and in this scenario, the Appeal Site is not within a designated valued landscape (but is within the setting of the national landscape with some intervisibility between the two.). The appeal decision issued in relation to OXT006 (see footnote 5 above) emphasises the extent to which Oxted, a higher order/ top tier settlement (in sustainability terms) has limited options for accommodation of growth.
- This proposal offers an opportunity to deliver growth at Oxted (one of the District's most sustainable settlements) without unacceptable landscape impacts, in circumstances where other potential options identified by the Council (such as OX006) have been found to be unacceptable. The decision in respect of OXT006 was made under the previous NPPF, so a different policy test applied at that time.
- In highway terms, the Appeal Site is in a sustainable location.
- The Scheme secures BNG and will deliver energy efficient homes in an accessible location.
- Not only are there no adverse impacts which significantly and demonstrably outweigh the benefits, but there are in fact significant benefits which justify the grant of planning permission.

- The Appeal Scheme is submitted in accordance with the NPPF. As such, the Scheme should be allowed so as to permit a sustainable form of much needed new market and affordable housing, and care home accommodation which help to address the District's housing needs and to provide the additional benefits which have been identified.

NPPF (Dec 2024)

5.10. The NPPF is a weighty material consideration, given that the most important Development Plan policies for determination of the application are out of date. As such, we highlight key NPPF paragraphs here, before moving on to provide an assessment of the key issues arising, relevant Development Plan policy and material considerations.

5.11. The content of the NPPF as it relates to the Proposed Development of the Site is addressed in the order set out below:

- Achieving sustainable development
- Decision making
- Delivering a sufficient supply of homes
- Promoting sustainable transport
- Achieving well-designed and beautiful places
- Protecting Green Belt land
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment.

Achieving sustainable development:

5.12. Paragraph 8 of the NPPF identifies the three dimensions to sustainable development, comprising (a) economic, (b) social and (c) environmental considerations.

Economic role:

- 5.13. The economic role requires that the planning system ensure sufficient land of the right type is available in the right places and at the right time to support growth. This is achieved via this proposal, on the basis that it is located within a sustainable location, within walking and cycling distance of local services and facilities. It also provides for housing development of the type and mix required to meet identified needs.

Social role:

- 5.14. The social role requires that the planning system deliver sufficient supply of housing (to enable communities can access the homes they need), creating a high-quality, well designed built environment, accessible to local services and reflecting the community's needs. All of these requirements can be achieved via this Proposal.

Environmental role:

- 5.15. The environmental role requires that the planning system protect and enhance the natural, built and historic environment. This can be achieved with this Proposal, in a location that will not result in any significant adverse effects upon the character of the wider surrounding area. It will also deliver biodiversity improvements and a new expansive area of green space.
- 5.16. Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. Paragraph 11 (d) makes it clear that where the policies which are most important for determining the application are out of date (as is the case here), permission should be granted unless (i) policies in the NPPF protecting areas of importance provide a strong reason for refusal (which doesn't apply here) or (ii) any adverse impact of granting permission would "significantly and demonstrably" outweigh the benefits. They do not.
- 5.17. Recent changes to the wording of 11(d)(ii) make clear that sustainability of

location, the effective use of land, delivery of affordable housing, and quality design are particularly important considerations.

- 5.18. This Site has been accepted as being highly sustainable and the proposal delivers 50% affordable housing, in excess of local policy requirements. Whilst the application is submitted in outline, the layout and design detail will ensure effective use of land whilst delivering high quality design which is informed by and complements its context.
- 5.19. The analysis below demonstrates that the policies for the supply of housing in Tandridge District are out of date, in terms of both the housing requirement itself, and the settlement boundaries which historically sought to identify where development would be supported.
- 5.20. This is due to the fact the spatial strategy pre-dates introduction of the NPPF and is based on a housing requirements which falls far short of current requirements. Furthermore, delivery has fallen well below planned rates (as evidenced by the Housing Delivery Test result) and looking forwards there is a very substantial shortfall in future housing land supply.
- 5.21. The settlement boundaries are based on the 2008 Core Strategy housing requirement of 125dpa, which is a mere 12% of the current standard method requirement (**125dpa** as compared with the current housing requirement of **1,012 dpa**). The 125dpa figure was taken directly from the South East Plan, and as such, there has not been a strategy in place which addresses objectively assessed need for quite some time.

Decision making

- 5.22. Section 4 of the NPPF sets out the approach to decision-making.
- 5.23. Paragraph 39 makes clear that **decision makers at every level should seek to approve applications for sustainable development where possible.**
- 5.24. As detailed above, the Council accepts that this Site is in a sustainable location, as evidenced by the evidence base documents.

Delivering a Sufficient Supply of Homes

- 5.25. Section 5 of the NPPF sets out the government's revised approach to delivering a sufficient supply of homes.
- 5.26. As the WMS makes clear, the government is committed to addressing the acute and entrenched housing crisis. A planning and infrastructure bill is also due to be introduced to speed up and streamline the planning process.
- 5.27. The Government has made it clear that one of their main objectives is to build more homes of all tenures in seeking to provide for 370,000 new homes per annum.
- 5.28. The WMS makes it clear that decisions must be about how to meet housing needs not whether to do so at all. This approach heralds the imposition of mandatory housing targets.
- 5.29. Paragraph 61 sets out the Government's objective of significantly boosting the supply of homes.
- 5.30. Paragraph 62 sets out the approach to determining the minimum number of homes needed, which should be informed by a local housing need assessment conducted using the standard method set out in national planning guidance, unless an alternative approach is justified.
- 5.31. Paragraph 78 sets the requirement for LPAs such as Tandridge (whose Local Plan is more than five years old) to identify and update annually a five year supply of deliverable housing sites based upon the application of the Local Housing Needs, derived from the Standard Method.
- 5.32. Based upon the recent Housing Delivery Test ("HDT") results (Dec 2024), Tandridge must add a 20% buffer to this requirement, due to under delivery in recent years.
- 5.33. The Council accepts that they do not have a five year supply of deliverable sites

and that the tilted balance of paragraph 11(d)(ii) is engaged. This scheme, delivering up to 190 dwellings and an 80 bed extra care home would make a notable contribution towards the very substantial housing shortfall in Tandridge District.

- 5.34. Pursuant to footnote 8, a lack of such supply triggers the presumption in favour of sustainable development at paragraph 11(d)(ii) NPPF.

Healthy Communities

- 5.35. Section 8 sets out the approach to achieving healthy, inclusive and safe communities.
- 5.36. Paragraph 98 sets out a requirement to provide the social, recreational and cultural facilities and services needed.
- 5.37. Paragraph 100 sets out the importance of meeting education needs arising from existing and new communities requiring LPAs to take a proactive, positive and collaborative approach to meeting this requirement.
- 5.38. Paragraph 103 states that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.
- 5.39. Paragraph 105 requires that the planning system protects and enhances public rights of way and takes opportunities to add links to the existing network.
- 5.40. The Application Scheme achieves both objectives, including through the provision of on site open space and enhancements to the public rights of way network, improving the quality of the right of way through the Site and enhancing permeability of the Site.

Sustainable Transport

- 5.41. Section 9 sets out the approach to promoting sustainable transport.
- 5.42. Paragraph 109 requires transport issues to be considered from the earliest

stages of development proposals, identifying transport solution that deliver well-designed and sustainable places.

5.43. Paragraph 110 states that the planning system should actively manage patterns of growth; focusing significant development on locations which are, or can be made, sustainable through limiting the need to travel and offering a genuine choice of transport modes.

5.44. The Application Scheme has been subject to considered and collaborative pre application engagement with County Highways and the LPA. Their advice has informed the overall approach to the proposed transport solutions as an integrated approach to the overall scheme design.

5.45. This Site is accepted by the Council as a sustainable location (as evidenced by the 2018 HELAA process, and the conclusion that it is in accordance with the preferred strategy), and is within safe and convenient walking access to local services and facilities.

5.46. Paragraph 115 sets out 4 criteria to be applied when assessing the suitability of specific applications for development.

5.47. The Application Scheme satisfies the requirements of paragraph 115 on account of ensuring the following:

- a) sustainable transport modes are prioritised
- b) safe and suitable access to the site can be achieved for all users
- c) the Development Framework Plan provides for a network of streets, parking areas with details to be secured at the reserved matters stage
- d) impacts from the development on the transport network can be mitigated by means of necessary off site highway works to be secured through a legal agreement

5.48. Paragraph 116 adds that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on Highway safety or the residual cumulative impacts on the road network following mitigation would be severe. That is not the case here.

5.49. Finally, and in addition, the Application Scheme also satisfies the provisions set

out within paragraph 117 of the NPPF.

Achieving well-designed places

- 5.50. Section 12 sets out the approach to achieving well-designed places.
- 5.51. Paragraph 131 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 5.52. Good design is at the heart of sustainable development.
- 5.53. Paragraph 135 sets out assessment criteria to be applied in considering the suitability of developments in design terms. Again, all of these requirements are satisfied with the application scheme (the accompanying DAS refers).
- 5.54. Paragraph 136 adds that trees make an important contribution to character and quality and that opportunities should be taken to incorporate trees.

Protecting Green Belt Land

- 5.55. Chapter 13 of the NPPF sets out national policy for protection of Green Belt land. Paragraph 142 establishes that the Government attaches great importance to the Green Belt and paragraph 143 set out the purposes of Green Belt designation.
- 5.56. Paragraphs 145 and 146 now (as a result of changes made to the NPPF in December 2024) make clear that where a LPA cannot meet its identified need for homes, this would amount to exceptional circumstances justifying alteration of Green Belt boundaries. As such, Tandridge's emerging Local Plan will need to go further than in the past to identify additional land to meet housing needs. Pursuant to paragraph 148, sustainability of locations must be a key factor in the process of Green Belt boundary review.
- 5.57. In the context of decision making, paragraph 153 directs that substantial weight be given to any harm to the Green Belt.

- 5.58. Paragraphs 154 and 155 now set out a number of instances where development would not amount to “inappropriate development” in the Green Belt.
- 5.59. Paragraph 155 contains the new ‘Grey Belt’ concept (with a definition of this term now provided in Annex 2).
- 5.60. Paragraph 156 sets out a number of ‘Golden Rules’ for the development of such Grey Belt land.

Meeting the challenge of climate change and flooding

- 5.61. Section 14 relates to flood risk and climate change, within the objective of seeking to ensure development avoids areas at higher risk of flooding.
- 5.62. As detailed above, a Flood Risk Assessment and Drainage Strategy has been prepared and ensures relevant policy and guidance is satisfied.
- 5.63. The Application Scheme will not cause any increase in flooding beyond the Site. Surface water will be attenuated on site in a network of swales and attenuation basins.
- 5.64. In accordance with the approach set out at paragraphs 173 and 175 of the NPPF, a sequential test has been undertaken in support of the application scheme. Section 6 below refers.

Natural Environment

- 5.65. Section 15 relates to the natural environment.
- 5.66. Paragraph 187 seeks to protect and enhance ‘valued landscapes’ (which does not apply here) and ‘recognise the intrinsic character and beauty of the countryside’.

Historic Environment

- 5.67. Section 16 sets out the approach to conserving and enhancing the historic

environment.

- 5.68. A heritage impact assessment and archaeological assessment are provided with the application and confirm there will be no significant adverse impacts.

6 ASSESSMENT OF THE MAIN ISSUES AND PLANNING BALANCE

Introduction

6.1. Informed by the planning policy and material considerations identified in section 5 above, this section sets out an assessment of the Application Scheme in relation to a number of “main issues”, with each one addressed in turn as follows:

- 1) The need for market, affordable and older persons’ housing;
- 2) The spatial strategy and principle of development outside a settlement boundary;
- 3) Green Belt;
- 4) Technical issues:
 - a. Landscape, green infrastructure, open space and biodiversity,
 - b. Highways and transport,
 - c. Loss of agricultural land,
 - d. Heritage,
 - e. Flood risk and drainage,
 - f. Air Quality,
 - g. Noise
 - h. Energy, sustainability and climate change,
 - i. Housing type and mix.
- 5) The planning balance.

ISSUE 1: THE NEED FOR MARKET, AFFORDABLE AND OLDER PERSONS’ HOUSING

Five Year Housing Land Supply

- 6.2. The current Development Plan is based on an outdated pre-NPPF housing requirement of 125dpa, which was in turn derived from the South-East Plan.
- 6.3. It planned for delivery of only 2,500 homes over a 20 year period, from 2006 to 2026.

- 6.4. The Housing Delivery Test result shows that the strategy has failed (with a score of 42%). No strategy has yet been developed / adopted for the period beyond 2026.
- 6.5. In the absence of an up to date local strategy which identifies and addresses local housing needs, the NPPF provides relevant national planning policy to fill this void.
- 6.6. The NPPF sets out the required approach towards identifying and addressing the acute and entrenched housing crisis faced across the Country, with Tandridge District proving to be no exception given current affordability ratios are 12.38 (2023).
- 6.7. In the recent appeal at Land at Chichele Road (APP/M3645/W/24/3345915, decided 11 December 2024) the Inspector described the housing supply shortfall in Tandridge as “very significant” (in the range 1.8-1.92 years using the old pre-Dec 2024 standard method); the Inspector highlighted the “substantial shortfall in the supply and delivery of new homes in Tandridge against what is required to address the needs of the District.”
- 6.8. The situation has deteriorated further on account of the new NPPF and standard method.
- 6.9. Using the Council’s purported supply (1,464 dwellings) and the new standard method (843dpa) plus 20% buffer⁶, there is **only 1.45 years’ supply of housing** which is considered a **very substantial** shortfall.
- 6.10. As the Written Ministerial Statement (“WMS”) dated 12 December 2024, made by the Minister of State for Housing and Planning explains, publication of the revised December 2024 NPPF marks the next step in the Government delivering on their promise to radically reform the planning system.
- 6.11. The WMS states that the measures set out in the revised NPPF reflect the Government’s commitment “not to duck the hard choices that must be confronted in order to tackle the housing crisis because the alternative is a

⁶ Results in a five year minimum requirement for 5,058 dwellings (1,011.6dpa)

future in which a decent, safe, secure and affordable home is a privilege enjoyed only by some rather than being the right of all working people."

- 6.12. Insofar as the Tandridge Core Strategy 2008 is agreed as being manifestly out of date, the council is tasked with meeting the mandatory local housing need derived from the application of the new standard method.
- 6.13. For Tandridge District Council that requirement is now 843dpa (plus an additional buffer) under the new standard method, which equates to an increase of 261dpa against the previous standard method requirement of 634dpa (prior to addition of the necessary buffer), recognising that the previous figure had been the subject of the 40% cap.
- 6.14. This requirement is in stark contrast to the 125dpa figure that formed the basis of the adopted spatial strategy, emphasising the extent to which that is manifestly out of date against the current level of identified housing need in the district.
- 6.15. The latest housing delivery test results were published on 12 December 2024, with Tandridge achieving only 42% of the required housing delivery (against the previous standard method requirement) over the 3 year period 2020-2023. The requirement, over that period, was 1,716 homes, yet only 716 homes were delivered.
- 6.16. Pursuant to paragraph 78 NPPF, as delivery fell below 85% over that 3 year period, a 20% buffer is to be added to the standard method housing requirement for the purposes of analysing future supply.
- 6.17. Therefore, **the standard method requirement, including the necessary 20% buffer, is raised to 1,011.6 dwellings per annum.** This is almost 9 times the annual requirement of the adopted Development Plan.
- 6.18. The data is clear that housing delivery will need to increase sharply. **Over the past 3 years (2020 -2023) the Council has only delivered 70% of the new annual requirement which will be required every year until a new spatial strategy is developed, examined and adopted. When compared at the**

average over the last three years delivery (238.6dpa)⁷, this is only 23.6% of the new annual target. A very clear indication of a substantial increase in housing delivery is required in Tandridge – a quadrupling of past performance.

- 6.19. The Council's latest authority monitoring report (May 2024) presents monitoring and housing supply data and indicates the Council had a 5 year supply of 1,464 dwellings (at 1 April 2024). If this is robust, and remains up to date, then under the new standard method requirement, **the Council has just 1.45 years' supply, which is a very substantial shortfall.**
- 6.20. The Council's five year housing land supply position for the period 1st April 2024 to 31st March 2029 is summarised in Table 1 below.

Table 1: The Council's Five Year Housing Land Supply Position

Step	Figure
A - Annualised Requirement	843dpa
B – Base requirement for five years (A X 5)	4,215
C - Add 20% Buffer (B X 20%)	+169dpa
D - Minimum 5yr Req. (B + C)	5,060
E - Total Annualised Requirement (D / 5)	1,011.6dpa
F - Deliverable Supply	1,464
G- Extent of Shortfall (F – D)	-3,596
H - No. Years Supply (F / E)	1.45yrs

- 6.21. The shortfall of 3,596 dwellings represents a chronic position.

Affordable Housing

General

- 6.22. There is an acute need for affordable housing within the District, which is confirmed in recent appeal decisions in the District.
- 6.23. In the appeal decision for land at Chichele Road, Oxted (11th December 2024)⁸ the Inspector (paragraphs 78) confirmed:

⁷ 761 / 3

⁸ LPA ref TA/2023/1345 & PINS ref APP/M3645/W/24/33459915)

“The appeal scheme would also deliver 58 affordable units, consisting of a mix of first home dwellings, affordable rented housing and shared ownership units. The provision of on-site affordable housing at a rate of 50% would exceed the 34% requirement set by Policy CSP4 of the CS. The presented evidence also clearly demonstrates that there is an acute shortage of affordable housing within the District. Again, I acknowledge the efforts engaged by the Council to provide additional affordable homes but, these are unlikely to suffice on their own to address the scale of the shortfall.”

(Our emphasis underlined)

- 6.24. Paragraphs 20, 61, and 63 of the NPPF place a strong emphasis on the delivery of sustainable development including affordable homes, whilst paragraph 61 clearly sets out the Government’s aim of “significantly boosting” the supply of homes.
- 6.25. The need for affordable housing and the importance in achieving sustainable development is emphasised in many government publications, including House of Commons Committee of Public Accounts – Planning and the Broken Housing Market (19th June 2019).
- 6.26. The provision of affordable housing is a key part of the planning system. A community’s need for affordable housing was first enshrined as a material consideration in PPG3 in 1992 and has continued to play an important role in subsequent national planning policy, including the National Planning Policy Framework (2012, 2018, 2019, 2021, 2023, and 2024 versions).
- 6.27. The NPPF sets a strong emphasis on the delivery of sustainable development, including affordable homes, at paragraphs 20 and 63.

Affordable Housing Need

- 6.28. Paragraph 8.3 of the Core Strategy refers to a high level of unmet need, whilst paragraph 8.4 refers to an annual shortfall of 449 dwellings. This unmet need has persisted and paragraph 127 of the Council’s Housing Strategy (2019 to 2023) states meeting the District’s need for affordable housing will be a sizeable task. It in turn refers to the Turley Report (Affordable Housing Needs Assessment – Updated Technical Paper for Tandridge District Council – June 2018) which calculates there is a need for 456 affordable homes per annum for the next 5 years and subsequently 284 homes per annum until 2033. It is added

that this poses a significant challenge for the Council in balancing economic growth and social progress for residents while recognising the District's environmental constraints and unique characteristics.

6.29. Once the backlog is cleared, only newly arising need will need to be met, requiring 284 affordable homes annually for the remainder of the plan period⁹.

6.30. Table 2 below compares the affordable housing need identified in the Updated Turley against the affordable completions in the district (data obtained from Government Statistics)¹⁰ said to have been achieved at Table 2 of the AMR.

Table 2: Summary of affordable housing delivery in Tandridge District

Year	Net Affordable Housing Completions in Tandridge	Updated Affordable Housing Technical Paper (2018)		
		Requirement	Shortfall from requirement	Cumulative Provision
2018/19	76	456	-380	-380
2019/20	122	456	-334	-714
2020/21	44	284	-412	-1,126
2021/22	60	284	-396	-1,522
2022/23	59	284	-397	-1,919
2023/24	75	284	-209	-2,128
Total	436	2,048	-2,128	-2,128

6.31. As the above Table indicates, the delivery of 436 affordable dwellings achieved in the period 2018 to 2024 represents an **under provision of 2,128 dwellings** when compared to the requirements assessed in Council's Affordable Housing Technical Paper (Update) (2018)

6.32. Table 2 clearly demonstrates that affordable housing delivery in Tandridge District has to date been insufficient to address the backlog in need, let alone that associated with the generation of additional need.

⁹ Affordable Housing Needs Assessment Technical Paper for Tandridge District Council (September 2015)

¹⁰ <https://www.gov.uk/government/statistical-data-sets/live-tables-on-affordable-housing-supply> (Table 1011C)

6.33. Paragraph 63 of the NPPF indicates that the context of assessing affordable housing need must be within the overall framework of a local housing need assessment, as explained in paragraph 62.

6.34. The Updated Technical Assessment (2018) indicates that at April 2018, there were 872 households in affordable housing need (table 2.1).

6.35. This evidence contrasts with that from the Government (derived from the Council's submission on its housing register)¹¹. This indicates that in 2018 there were 1,399 households on the register (of which 1,081 were households in a "reasonable preference category". However, page 7 of the Council's Housing Strategy 2019 to 2023 suggests there were 1,555 persons on the housing waiting list at July 2018.

6.36. Whilst the above references the extent of affordable need on the housing register in 2018, Government Statistics detail how these has changed since, including the implications of the low affordable housing delivery in the district. This is shown in Table 3 below.

Table 3: Extent of housing waiting list in Tandridge District¹²

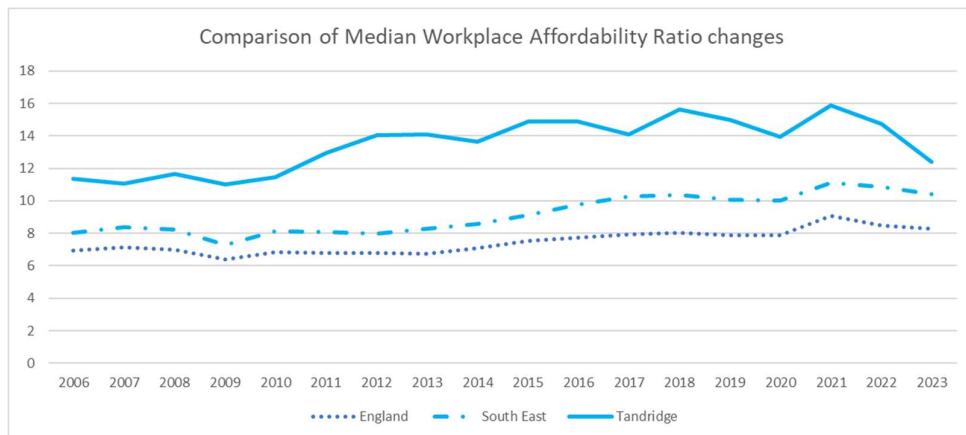
	1/4/18	1/4/19	1/4/20	1/4/21	1/4/22	1/4/23	1/4/24
Households on waiting list	1,399	1,424	1,734	1,718	1,788	1,910	1,835
Households in reasonable preference category	1,081	1,168	1,429	1,467	1,517	1,156	1,388
Homeless	65	42	49	76	36	54	83

6.37. Consequently, with significant unmet need as illustrated by 1,835 households on the register in 2024, the contribution of 95 affordable homes on the application site would make a substantial contribution towards address the identified needs of people in the District.

¹¹ <https://www.gov.uk/government/collections/local-authority-housing-data#2017-to-2018>.

¹² Data from <https://www.gov.uk/government/collections/local-authority-housing-data>.

6.38. Tandridge has also experienced worsening of the affordability ratios in the District as illustrated below.



6.39. The chart also shows that affordability ratios in Tandridge District are significantly above those of England and the South East region.

6.40. The chart shows that affordable housing is acutely needed with the house prices to earnings ratio of 12.38 in Tandridge in 2023. Whilst it has declined, it remains very significantly above the regional and national figures. It is a crippling affordability ratio.

6.41. A step change in the delivery of affordable housing is therefore required if the Council is to get anywhere near to resolve the significant need as assessed in the Technical Assessment (including the Update) alongside the housing register and consequently begin to address the dysfunctions of the local housing market.

6.42. The application site in providing 95 affordable homes would make a very significant contribution towards addressing the clear affordable housing need in the district.

Older Persons Housing Need

6.43. The Tetlow King report submitted with the application assesses the local need for specialist care accommodation within Tandridge, both in the short term up to 2027 and longer term up to 2040. Based on the analysis set out in that report, the rate of residential care home accommodation in Tandridge is below the England average, at 31.24 beds per 1000 of the age 75+ population,

compared to 35.75 across England. The assessment identifies a need for 34 additional residential care beds by 2030 and 66 by 2035. Whilst initially the number of nursing care home beds suggests an oversupply, the more detailed analysis provided demonstrates a shortfall in en-suite single occupancy bed spaces. As such, the assessment of *qualitative* factors demonstrates an undersupply. -Taking account of these qualitative factors, the analysis shows a need for an additional 550 personal care beds and 104 nursing beds in the period 2023 to 2040, plus 82 dementia beds. In the shorter term (2023-2027) there is still a significant demand for new care home bed provision and additional specialist dementia beds.

Summary

- 6.44. In this context, we afford the delivery of market and affordable homes, and care home accommodation **very significant weight** in the planning balance. The Inspector in the appeal regarding site OXT006 also afforded 'very significant weight' to delivery of 116 homes (58 market and 58 affordable, against a policy requirement for 34% affordable).
- 6.45. This Application scheme delivers just over double the number of homes which would have been provided in that scheme (234 dwellings, based on 190 market and affordable dwellings and 44 equivalent dwellings due to the care home provision)¹³ so this 'very significant' weight is consistent with the approach taken nearby in a similar housing shortfall context.
- 6.46. Local Plan Part 2 Policy DP1 contains a 'tilted balance' policy, which applies where policies are out of date. As such, on the basis of the unmet housing need, which renders relevant policies out of date, the Council's own Development Plan directs that permission should be granted. This is elaborated upon in the

¹³ 190 dwellings comprising 95 market; 95 affordable, and an 80 bed extra care home. PPG Paragraph: 026 Reference ID: 68-035-20190722 Revision date: 22 07 2019 confirms that care home accommodation can be counted for the purposes of housing land supply calculations. The rate of contribution is to be based on the quantum of housing freed up, based on the average number of adults per household in census data (016a Reference ID: 63-016a-20190626 Revision date: 26 June 2019). For an 80 bed extra care home, this equates to 44 equivalent dwellings (at a rate of 1.8 adults/household).

Planning Balance section of this report.

ISSUE 2: THE LOCATION OF DEVELOPMENT/ SPATIAL STRATEGY AND SETTLEMENT BOUNDARIES

- 6.47. Policy CSP 1 (Location of Development) of the Core Strategy provides that “development will take place within the existing built up areas of the District (the Category 1 settlements listed below) and be located where there is a choice of mode of transport available and where the distance to travel to services is minimised...”
- 6.48. The stated purpose of that policy, as set in the opening text of the policy itself, was “to promote sustainable patterns of travel and in order to make the best use of previously developed land”.
- 6.49. It is clear that a site adjacent but outside an arbitrary settlement boundary, whilst not supported by the policy, could in fact be capable of meeting this overall policy intention.
- 6.50. That policy did also contemplate additional changes to Green Belt boundaries where it is “not possible to find sufficient land within the existing built up areas and other settlements to deliver current and future housing allocations”. This was to have been given effect via the Site Allocations Development Plan Document.
- 6.51. No such steps were taken in this case although it is clear from online Housing Delivery Test results that such action would have been justified. In any event, the general intention of that policy was to focus additional growth on **sustainable locations**, whilst having regard to the need to prevent coalescence of built up areas (both points being satisfied here).
- 6.52. In summary, policy CSP1 (Location of Development) is not met although the general intention of the policy does lend some support for development of this Site. The policy anticipated this would be plan led, rather than achieved via decision making on any planning application, so the non-compliance is limited to this method by which permission is sought. The Council has not brought forward a plan-led solution to the ongoing housing shortfall in Tandridge, hence

the submission of this application.

- 6.53. For the purposes of the planning balance, to which we return later in this statement, Policy CSP1 is considered one of the 'most important policies' for determining the application, for the purposes of paragraph 11(d)(ii) of the NPPF.
- 6.54. Paragraph 232 of the NPPF (Annex 1: Implementation) provides guidance on the approach to out of date policies, stating that the amount of weight to be afforded to policies will depend on their degree of consistency with the NPPF.
- 6.55. Policy CSP1 is out of date due to its inconsistency with the NPPF's aim to significantly boost the supply of land.
- 6.56. The settlement boundaries are based on a lower housing requirement, established under the Core Strategy, which falls significantly below the figure now required to meet identified housing needs (equivalent to only 12% of current annual needs and not covering the period beyond 2026).
- 6.57. In any event, it is clear that the conflict with **Policy CSP1 is to be afforded little weight in the planning balance**. The settlement boundaries were drawn to deliver on a strategy which is now widely accepted as being out-of-date.
- 6.58. In accordance with the requirements of paragraph 78 of the NPPF, the housing requirement in Tandridge District now falls to be determined utilising the standard method calculation of local housing need, as the spatial strategy is more than five years old.
- 6.59. As set out in section 5 above, local housing need, using the standard method, significantly exceeds the quantum planned for in the 2008 Core Strategy and the established settlement boundaries.
- 6.60. These boundaries fail to deliver the level of housing now required and as such, the weight to be given to a Site's location inside/ outside of the Boundary is significantly reduced. **Policy CSP1 (and compliance thereto) is afforded limited weight in the planning balance.**
- 6.61. This is consistent with the approach taken by the Inspectors who determined

the appeal regarding Land at Chichele Road Oxted(paragraph 6 of APP/M3645/W/24/3345915) and the Land at Old Cottage, Station Road Lingfield appeal (paragraph 10 of APP/M3645/W/23/3319149).

- 6.62. This proposal accords with the spatial and development management policies of the development plan, save for the Site's position adjacent to, but outside the settlement boundary for Oxted. However, as accepted by the Council, the settlement boundary is based upon an out-of-date calculation of housing need.
- 6.63. The Council has accepted there is a need to utilise sites outside of settlement boundaries in order to address housing need – as evidenced by the decision to adopt additional guidance via its Interim Position Statement on Housing Development, IPSHD.
- 6.64. The Inspector who determined Land at Chichele Road appeal made clear that the IPSHD alone was unlikely to be sufficient to address housing need (see paragraph 76 of APP/M3645/W/24/3345915). The decision to make and adopt the IPSHD only arose due to the need for a consistent approach in circumstances where additional land was required, beyond planned site allocations, to meet housing needs due to failure of the Housing Delivery Test.
- 6.65. As set out above, there is only 1.45 year's supply of housing land, which is a very substantial shortfall. In the recent appeal decision, 11 December 2024, the Inspector there considered the shortfall to be 'substantial' – and the situation as worsened since then (from, at best, 1.9 years down to 1.45 years) due to the new standard method approach in the December 2024 NPPF.
- 6.66. Also material is the fact that the emerging Local Plan is unlikely to resolve the housing shortfall in the short term. The Council had planned to submit a new plan for examination in Q3 2026/2027 (as per the Local Development Scheme July 2024) but these timetables will need to be revisited, now that the housing requirement has increased significantly and the Government has made clear (in NPPF paragraph 146) that the Council will be expected to review the boundaries of the Green Belt to meet housing needs in full. This involves the need to review and identify Grey Belt land and plan for additional release to meet housing needs.

- 6.67. The Council will need to carry out additional assessment work to determine the extent of Grey Belt land before it can bring forward a plan for examination. As such, the Q3 2026/2027 date is not likely to be achievable. The Inspector in 'Land at Chichele Road', at paragraph 77, noted that the problems associated with under supply would persist until that new plan is adopted, which factored into their decision to afford very significant weight to the 116 dwellings proposed on that site. The timelines are now worse than when that decision was made (due to the new requirement to allocate more homes, based on robust evidence as to the extent of Grey Belt).
- 6.68. On this basis, **the conflict with policy CSP1 is given limited weight** and the benefit of delivery of 190 dwellings plus 44.4 equivalent dwellings due to care home accommodation **attracts very significant weight**.
- 6.69. The policies, and the planning boundaries associated with it, is aimed at delivering an out-of-date spatial strategy, which fails to meet local housing need. Furthermore, the stated purpose of Policy CSP1 is to ensure development is directed to the most sustainable locations, to reduce the need to travel by private vehicle. This Site is accepted as a sustainable location with good walkability and public transport accessibility, so the overall policy intention is satisfied.

ISSUE 3: GREEN BELT

Development Plan: Green Belt Policy

- 6.70. Whilst Oxted itself is inset from the Green Belt, this application Site is within the designated Green Belt.
- 6.71. Policy CSP1 provided that "there will be no change in the Green Belt boundaries, unless it is not possible to find sufficient land within the existing built up areas and other settlements to deliver current and future housing allocations. Such changes will only take place at sustainable locations as set out in Policy CSP2 whilst having regard to the need to prevent built up areas from coalescing. Any changes will be made through a Site Allocations Development Plan Document and the accompanying Proposals Map."

- 6.72. No such change to the Green Belt boundary in the area of this Site was subsequently made. As such, it remains covered by the designation.
- 6.73. **Policy DP10 and the Proposals Map** confirm the extent of the Green Belt and state that planning permission for inappropriate development will only be permitted in very special circumstances. “to the extent that other considerations clearly outweigh any potential harm to the Green Belt by reason of inappropriateness and any other harm.”
- 6.74. To this extent, the policy is broadly in conformity with paragraph 153 of the NPPF.
- 6.75. As we have identified, the Development Plan **is inconsistent with the NPPF (December 2024) in relation to the approach to development in the Green Belt.**
- 6.76. Paragraph 231 of the NPPF confirms that its policies are material considerations to be taken into account in decision making, and that **development plans may also need to be revised to reflect policy changes which this Framework has made.** As such, it is expected that the emerging Tandridge Plan will need to bring local policy in line with new NPPF Green Belt policy in order to be found sound and adopted.
- 6.77. Paragraph 232 of the NPPF states that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. **Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).**” It is clear, therefore, that development plan policies which are inconsistent with the NPPF can be given reduced weight as a matter of planning judgement.

NPPF Green Belt Policy

Overview

- 6.78. This proposal is consistent with NPPF Green Belt policy. The Applicant's

position on the issue of Green Belt is as follows.

- 6.79. Firstly, the proposal does not comprise “inappropriate development”, as the Site comprises ‘**Grey Belt**’ land, and **the proposal complies with the Golden Rules**. There is no conflict with Policy DP10 (as that policy only restricts ‘inappropriate development’ for which there are no VSC). There is no definitional harm to the Green Belt.
- 6.80. Moreover, **conformity with the Golden Rules** (including 50% affordable housing) attracts **significant weight as a benefit of the scheme** (as per NPPF paragraph 158).
- 6.81. In the alternative, should the decision-maker not agree that the Site comprises Grey Belt land, the Applicant’s clear position is that despite any definitional harm to the Green Belt by reason of inappropriateness (which would attract substantial weight), there is no significant harm to the purposes of the Green Belt nor any undermining of the Green Belt at a strategic functional level, and collectively there are a range of benefits that clearly outweigh the Green Belt and other harms which arise.
- 6.82. The only other harms arising are conflict with the Development Plan/location outside the settlement boundary (which attracts limited weight) and loss of agricultural land (which equally attracts limited weight).
- 6.83. A more detailed analysis of the above position follows.

Grey Belt and the Golden Rules

- 6.84. This section sets out an analysis of the new NPPF provisions regarding ‘Grey Belt’ land and the Golden Rules for development of the same. In summary, based on the evidence which has been prepared to date, the Site qualifies as Grey Belt land due to it not performing ‘strongly’ against the relevant Green Belt purposes. The proposal complies with the Golden Rules, and therefore, it is not ‘inappropriate’ development in the Green Belt. These points are now elaborated upon below.

6.85. Paragraph 155 NPPF allows for development on 'Grey Belt' land in certain circumstances, each of which is met in this case:

"155. The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b. There is a demonstrable unmet need for the type of development proposed;*
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
- d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below."*

6.86. Turning first to requirement (a) of paragraph 155, the term 'Grey Belt' is defined in Annex 2 of the NPF as follows:

Grey belt: For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

6.87. As per the wording of the definition a site does not have to comprise previously developed land to be considered 'Grey Belt', by virtue of inclusion of the words 'and/or any other land'. Rather, the focus is on the extent to which the Site serves a strong Green Belt purpose and whether or not any footnote 7 matters provide a strong reason for refusal.

6.88. Therefore, both paragraph 155 itself and the definition of 'Grey Belt' require an analysis of the extent to which the site performs against the stated purposes of Green Belt designation.

6.89. This analysis follows below, before going on to consider the remaining requirements of the Grey Belt definition and paragraph 155 (and in turn, 156 and 157).

The Green Belt Purposes

6.90. The purposes of the Green Belt designation are set out in NPPF paragraph 143

and in the table below.

6.91. The requirements of the Grey Belt definition, and NPPF paragraph 155, are also identified below in respect of each of these five purposes.

Green Belt Purpose (derived from NPPF para 143)	Requirement in order to be classified as 'Grey Belt' (based on NPPF Annex 2 definition)	Applicant Assessment
Purpose (a) To check the unrestricted sprawl of large built-up areas (Purpose a)	Site must not "strongly contribute" to this purpose.	Oxted is not a large built up area but in the local context, is one of the larger built up areas of the district. Due to the settlement pattern of Oxted and the Site's specific location within the form of the settlement, the proposal will not amount to 'unrestricted' sprawl and rather, amounts to an infilling and rounding off of the settlement.
Purpose (b) To prevent neighbouring towns merging into one another	Site must not "strongly contribute" to this purpose.	The Application Site plays no role (wider parcel plays a minor role)
Purpose (c) To assist in safeguarding the countryside from encroachment	Not relevant.	The Application Site does safeguard countryside from encroachment
Purpose (d) To preserve the setting and special character of historic towns	Site must not "strongly contribute" to this purpose.	The Application Site plays no role
Purpose (e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land	Not relevant.	The Application Site plays no role.

The Council's Green Belt Evidence

General

6.92. The Council has produced evidence on the extent to which this Site (as part of a larger Green Belt parcel) performs a Green Belt function.

Part 1 Green Belt Assessment 2015

6.93. In the Part 1 Green Belt assessment the Site forms a small part of parcel GBA017, in its north-western extent adjacent to Oxted (see Figure 3 below).

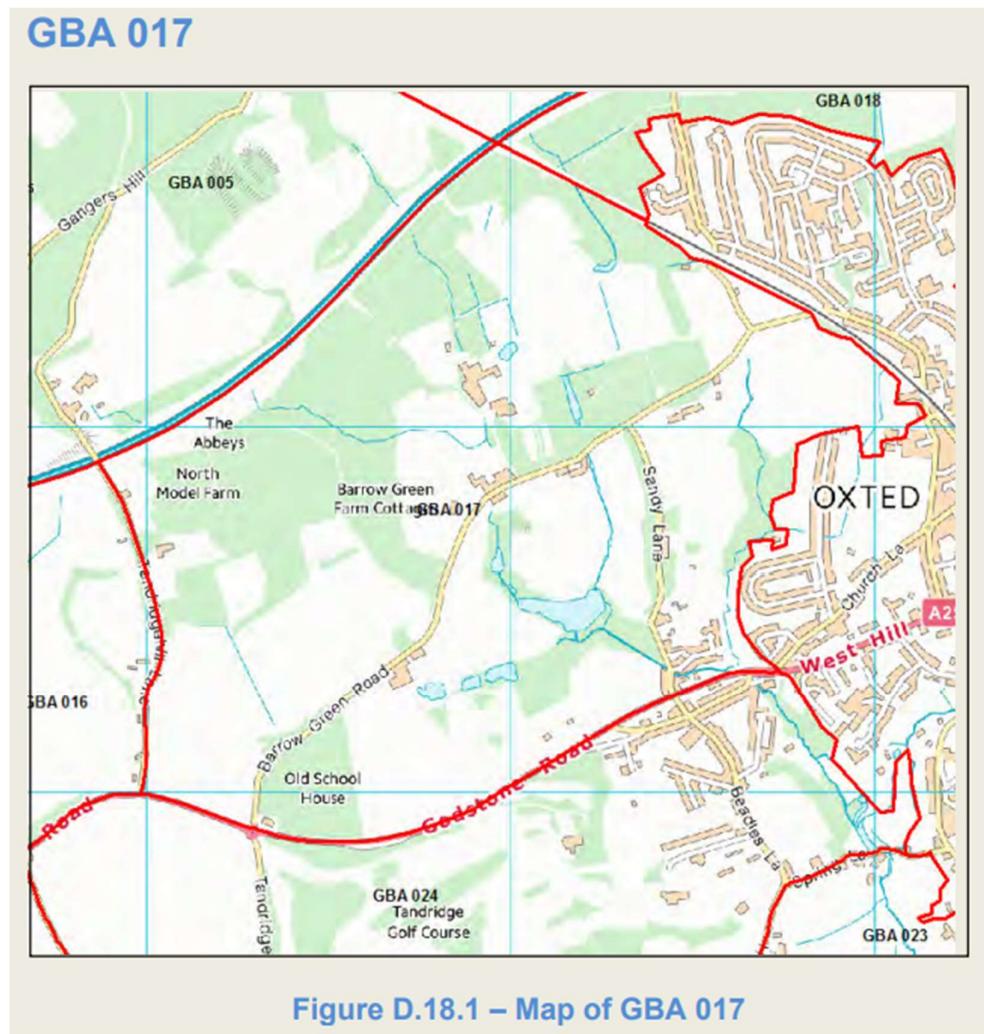


Figure 3 Extract of Green Belt Assessment Part 1 – Parcel GBA017 of which the Site forms a small part

6.94. In summary, the Part 1 assessment concluded that parcel GBA017 plays the following roles:

- Purpose a: plays “an effective role” in checking urban sprawl (as development is contained within the urban boundary – i.e. the assessment

is backward looking, recording that the parcel has been effective, to date, in prevent Oxted sprawling to the west);

- Purpose b: plays only a “minor role” in preventing neighbouring towns merging. Old Oxted and Oxted have already merged, so GBA017 does not act as a buffer between the two. The minor role relates to prevention of merging of Woldingham and Oxted, which is a ‘considerable distance’ and there is likely no real risk of merging due to natural/ physical features.
- Purpose c: “effectively assists” in safeguarding the countryside from encroachment;
- Purpose d: “does not play any role” in preserving the setting or special character of the Conservation Area as there is already development in the intervening area;
- Purpose e: not assessed (not relevant).

6.95. The use of the word ‘minor’ in respect of purpose (b) is important. It demonstrates that the assessment methodology is not simply looking at whether the site *does* or *does not* play a role. Rather, the assessment has applied a sliding scale, considering *the degree to which* a particular purpose is met.

6.96. This is relevant, as there is no reference in the assessment of GBA017 to any “strong” purpose. **Its plays an “effective” role, at most – that is, it is fit for purpose, but does not perform any particularly strong function.**

6.97. Whilst the Part 1 assessment concludes the wider parcel GBA017 plays a role against purposes a, b and c, it does not state that it plays any *strong* role against any of these; rather, the wording suggest it is “effective” which is considered to be moderate language suggestive of a degree of efficacy without being of any fundamental importance to the performance of the Green Belt in the area.

6.98. The requirements of the definition of ‘Grey Belt’ are therefore met, as the Site makes **no ‘strong contribution’ to any of purposes a, b or d. Nor would the proposal fundamentally undermine the strategic Green Belt across the**

Tandridge area, with 94% of the district covered by the designation, including a large expanse of the rural area.

Part 2 Green Belt Assessment (2016)

- 6.99. Part 2 of the Green Belt assessment, published in 2016, undertook further investigation of this application Site, as part of Site 053 (on page 168 of Green Belt Assessment Part 2 Appendix 2).
- 6.100. Figure 4 below shows the area identified which includes the application Site, but also additional land to the south and west.

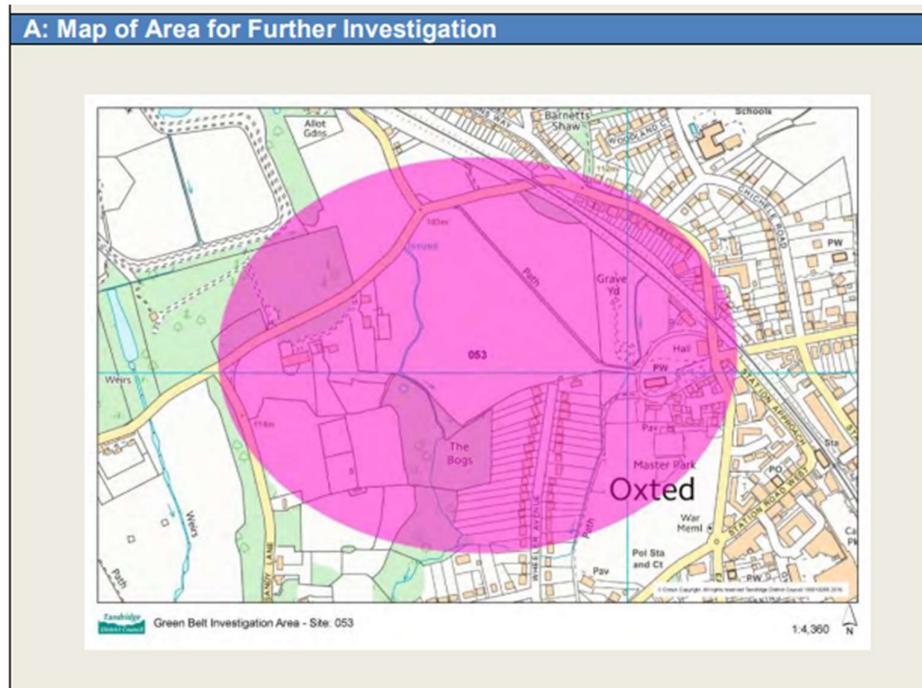


Figure 4 Further Investigation of the Green Belt Role of Site 053 in Part 2 Green Belt Assessment 2016

6.101. Further investigation was warranted due to the highly sustainable location:

"The Government has announced that areas around train stations are considered sustainable and should be considered. As such areas near Oxted Station should be considered for

further investigation. Further, sustainability extends to sites which best meet the needs of the elderly population in that they are flat and walking distance to shops. Areas in the Green Belt that meet this should be an Area for Further Investigation.”

6.102. However, as this land remains open and undeveloped it was concluded that Oxted had therefore not sprawled onto the Site. That is, it has played a role in prevention of sprawl from Oxted because it features limited built form. Again, the language confirms it serves ‘a purpose’ but the conclusion is not strongly worded:

“Whilst a section of this Area includes relatively high levels of developed land, overall it is predominantly open and undeveloped. The Green Belt boundary has prevented sprawl from Oxted, a large built-up area, and as such it is considered to serve purpose 1 of including land within the Green Belt.”

6.103. In our view, the assessment against purpose (a) (prevention of sprawl) has been conflated with the assessment against purpose (c) (encroachment into the countryside). The assessment is backward looking, stating that because the land is undeveloped, it has clearly *in the past*, prevented sprawl. What that conclusion is actually saying is that there has been *no encroachment of built form into this countryside site*.

6.104. Rather, the assessment against purpose (a) should more rightly have looked at settlement form and function, and the sustainability of the location. There is no universally agreed definition of urban sprawl¹⁴ but as a concept, it is:

“commonly used to describe the physical expansion of urban areas at the expense of rural and natural areas. It is traditionally associated with negative impacts, such as poorer connectivity, reduced levels of public services, increased energy consumption for heating and transport, traffic congestion, air pollution, as well as a source of irreversible damage to local ecosystems.” (Aurambout et al 2018).

6.105. The prevention of urban sprawl, therefore, is partly aimed at preventing

¹⁴ See Aurambout, J.-P.; Barranco, R.; and Lavalle, C. “Towards a Simpler Characterization of Urban Sprawl across Urban Areas in Europe”. *Land* **2018**, 7, 33

expansion into the countryside which contributes to car dependence and increased distance between residents and the and local services facilities and services to which they need access.

6.106. The Application Site, whilst undeveloped, is in a highly sustainable location, in very close proximity to the town centre.

6.107. Development on this Site would not amount to uncontained sprawl of the built up area. The Site is walkable to the services and facilities of the town centre.

6.108. The development would take the form of an infill development which rounds off the settlement form/ pattern – as the Site is encompassed by built form to the north, east and south. Development could be accommodated within the Site without the settlement of Oxted having been said, at a strategic scale, to have sprawled outwards in an unconstrained manner. Figure 5 below illustrates this point.

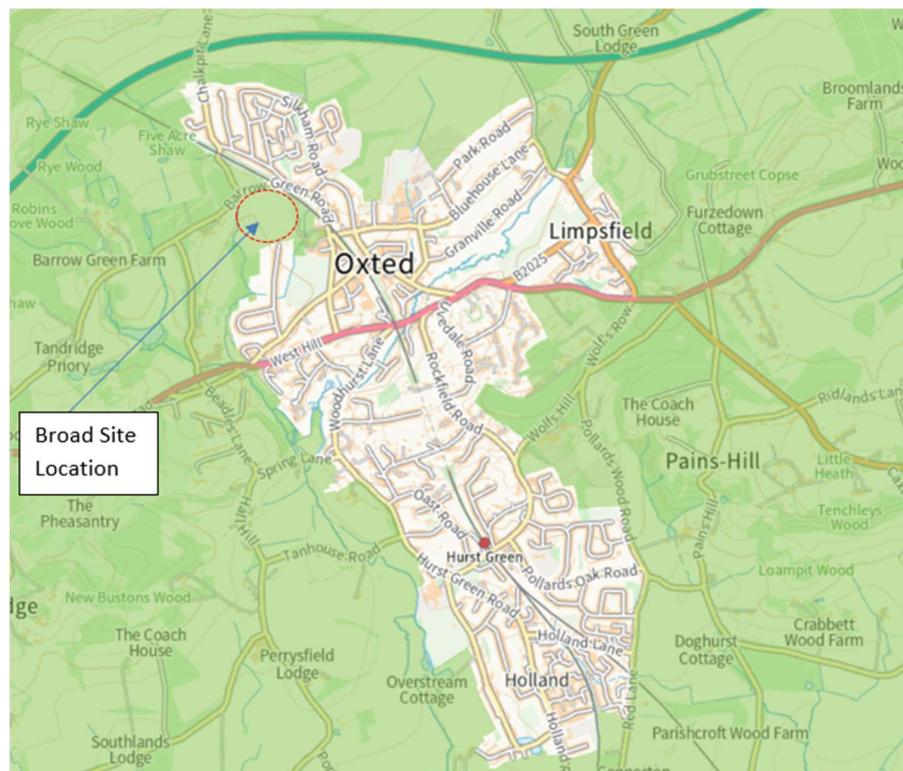


Figure 5 Settlement Form of Oxted with the broad Site location identified in red to show how it rounds off the settlement form

6.109. To this extent, it is considered that the Site plays only a very limited role, in

preventing 'sprawl' from Oxted.

6.110. Furthermore, Oxted is only a 'large built up area' only within the local context of Tandridge district itself – a largely rural district with few settlements. The Settlement Hierarchy report 2015 itself makes this point – see paragraph 2.3 above of this statement, and 7.31 of the report itself:

"none of the settlements in the district can be considered urban when compared against those such as Croydon or Redhill, [but] Tandridge does have settlements which are large enough and sufficiently developed to be considered urban in the local context".

6.111. In a recent appeal in Hertsmere (APP/N1920/W/23/3320599, Land south of Shenley Road, Radlett, Hertfordshire WD7 7BP1) the Inspector noted that "there is no definition in national [or local policy] of what constitutes a large built up area in terms of purpose a)."

6.112. In that case, the Inspector concluded that a settlement of 10,060 people (Radlett), would comprise a large built up area. By contrast, the population of Oxted, as set out in Table 4 of the Settlement Hierarchy 2015 is just 5,200.

6.113. Whilst Oxted is sustainably located and well-connected by public transport, the physical extent of the built up area is not expansive. Any expansion of built form into this Site would not be 'unrestricted' due to settlement's form and morphology. The Site is well contained, with built up area to the north, east and south. Built form on this Site would not cause the settlement as a whole to project further west. Rather, the proposal would infill a pocket of undeveloped land.

6.114. As such, it is concluded that this application Site does not play any strong role in preventing **unrestricted sprawl** from a large built up area. Any expansion into the Site would be highly restricted.

6.115. Whilst it is accepted that it prevents encroachment into the countryside, this is not relevant to the question of whether it falls within the new classification of 'Grey Belt'.

6.116. The fact that the Council's initial Green Belt assessment had to be revisited for this Site emphasises its sustainability credentials, and also shows that at a more granular level of assessment there was still no evidence of any "strong contribution" to any Green Belt purpose.

Part 3 Green Belt Assessment 2018

6.117. The commentary for OXT007 in Part 3 of the Green Belt¹⁵ is provided in Appendix Two. Key conclusions include the following:

- "The Council consider that the site is strategy compliant and would have a significant role to play in achieving sustainable" [sic];
- The findings of the Part 2 assessment, regarding Green Belt purposes were reiterated;
- "development in this location is likely to result in harm to the ability of the Green Belt in this location to continue to serve this purpose. In addition, there is potential for harm to the ability of the wider Green Belt to meet the Green Belt purposes;
- "Given the strong contribution to openness and the Green Belt purposes in this location, it is considered that a major housing development of 250 units would cause significant harm to openness and increase encroachment. Whilst a sensitively designed scheme may reduce impact, harm is unlikely to be outweighed."
- The site comprises undeveloped land on the edge of a Tier 1 settlement and as such it is a preferred location on sustainability grounds, being within close proximity to a GP surgery, schools, countryside, employment and public transport.
- The Site is considered, in principle, suitable for development from a landscape and ecology perspective subject to mitigation measures. Other

¹⁵ Green Belt Assessment (Part 3): Appendix 1 (2018)

potential adverse effects such as the impact on the setting of listed buildings, surface water flooding, ground water contamination could similarly be adequately mitigated.

- *The impact on Green Belt purposes could be minimised by siting in the most visually contained sections of the site*, in addition to using sensitive design, buffers and landscaping but given its scale (250 dwellings), the impact would still be significant.

6.118. The Council's assessment of the Site in Part 3 of the Green Belt Assessment introduced, for the first time, a suggestion that this Site performs a strong purpose but did feel the impact could be minimised via sensitive design to limit the visual impact on openness of the Green Belt.

6.119. That assessment is based on a development of 250 homes on the Site (involving a greater impact on openness than the present proposal). We have set out above the basis upon which we consider the Site plays only a limited role, if at all, in preventing unrestricted sprawl from a large built up area. Suffice to say, here, that the conclusions of the Part 3 assessment (regarding the Site playing a strong role) are unsupported and disputed. It is also relevant that the December 2024 changes to the NPPF now confirm that unmet housing need does amount to exceptional circumstances justifying Green Belt release.

Summarising the Green Belt Purposes

6.120. The purposes of Green Belt designation are set out in paragraph 143 NPPF and are as follows:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Footnote 7 Considerations

6.121. Moving from the assessment against Green Belt purposes to the other requirements of the 'Grey Belt' definition, the next consideration is whether any footnote 7 matters provide any strong reason for refusal.

6.122. This question falls for consideration under the paragraph 11(d)(ii) titled planning balance so is not discussed at length at this juncture. Suffice to say there are no footnote 7 matters which provide any strong reason for refusal. As such, the Site complies with all requirements of the new Annex 2 'Grey Belt' definition.

The Paragraph 155 Assessment

6.123. Having established that the Site is 'Grey Belt' land, we return to paragraph 155 NPPF, which sets out the circumstances in which a proposal on Grey Belt will *not* be considered 'inappropriate development'.

6.124. Firstly, there must be a demonstrable need for this scheme. This has been demonstrated above (see Issue 1), in regard to the need for market, affordable and older person's housing.

6.125. Secondly, the development must be in a sustainable location. This requirement has also been established elsewhere in this statement (in respect of the spatial strategy and assessment of highways matters) so will not be repeated here. See the HELAA assessment in Appendix One which shows the Site is in accordance with the Council's preferred strategy (i.e., is adjacent to a key built up area).

6.126. Thirdly, the proposal must comply with the Golden Rules as set out in new NPPF paragraphs 156 -157:

Requirements of and Compliance with NPPF Golden Rules for Development of Grey Belt		
Land		
NPPF Ref	Requirement	Assessment
NPPF para 156	Major development involving the provision of housing, subject to a planning application	The proposal satisfies the NPPF definition of major development and delivers housing.
156(a)(ii) and 157	Affordable housing – as there is no adopted	50% affordable housing is

	policy which meets the new NPPF requirements (of para 67-68), the Golden Rules require AH at 15 percentage points above the affordable housing contribution which would otherwise apply subject to a cap of 50%.	proposed
156(b)	Necessary improvements to local or national infrastructure	CIL and s106 contributions will be made to address necessary infrastructure improvements.
156(c)	The provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.	<p>The existing PRoW through the Site will be improved and provides an onward route to connect to the Pilgrims Way long distance walking trail.</p> <p>Oxted benefits from open space recreation areas at Master Park, Barnetts Shaw (in very close proximity to the Site) and also at, Bushey Croft playing field (St Clair Close) and Tidy's Green at Westerham Road.</p>

6.127. Paragraph 158 directs that where a development complies with the Golden Rules, as is the case here, this should attract **significant weight** in favour of the grant of permission.

6.128. On this basis, the proposal is compliant with NPPF Green Belt policy. The Site is Grey Belt land as it does not perform strongly against the relevant Green Belt purposes. The proposal complies with the Golden Rules. As such, it is not 'inappropriate development' in the Green Belt and there is no need to demonstrate Very Special Circumstances for this proposal. We further note that local Green Belt policy is inconsistent with the NPPF (as it makes no provision for development of Grey Belt land) and therefore it attracts limited weight.

The Alternative Scenario: NPPF Paragraph 155 Balance

6.129. In the unlikely event that the Council disagrees that the Site amounts to 'Grey Belt' (for example, because of the conclusions of Part 3 of the Green Belt

assessment which found there was a strong purpose) the Scheme falls to be assessed within the prism of paragraph 153 of the NPPF.

6.130. Those circumstances will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

6.131. In this case, the harm to the Green Belt would comprise:

- Definitional harm (if it is not accepted that the site is 'Grey Belt land'),
- Harm to spatial openness of the Site, introducing built form into an open field,
- Harm to visual openness of the Site; and
- Conflict with purpose (c) (encroachment)

6.132. The 'other' (non-Green Belt) harms which would also need to be factored in, include:

- Conflict with the Development Plan settlement boundary – limited weight.
- Loss of agricultural land
- Change in the landscape/ visual impact.

6.133. The benefits, against which these harms are weighed, comprise as follows:

- Provision of much needed homes in a sustainable location, helping to meet identified housing needs (for both market and affordable housing) in the context of a duty to significantly boost the supply of housing. This includes 50% affordable housing and specialist older persons' housing for which there is clear evidence of need.
- Provision of new public open space and provision of additional green infrastructure, which links into existing green infrastructure routes, and provides enhanced opportunities for public recreation and additional habitat and ecological corridors.
- Delivery of homes in an accessible location and delivery of new energy

efficient housing stock.

- Increased local expenditure to sustain local services and facilities.
- Local job opportunities and increased economic activity in the short, medium and long term.
- The Scheme satisfies the economic, social and environmental roles of sustainable development, as sought by the NPPF.

6.134. Collectively, it is considered that the harm to the Green and other harms are clearly outweighed by these other benefits, such that very special circumstances exist to justify the grant of planning permission.

ISSUE 4: TECHNICAL MATTERS

A: Landscape, Green Infrastructure, Open Space and Biodiversity

6.135. Policy CSP 18 (Character and Design) requires that new development is of a high standard of design which reflects and respects the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained, such as tree cover.

6.136. Policy CSP20 (AONB) seeks to conserve and enhance important viewpoints, protect the setting and safeguard views out of and into the national landscape (formerly 'AONB'). The policy also applies the same principles to the Area of Great Landscape Value (AGLV), as a buffer to the Surrey Hills AONB and to protect views from and into the AONB.

6.137. Policy CSP21 (Landscape and Countryside) protects the character and distinctiveness of the District's landscapes and countryside, stating that "new development will be required to conserve and enhance landscape character".

6.138. Policy DP7 (General Policy for New Development) requires that proposals

respect and contribute to the distinctive character, appearance and amenity of the area in which it is located and that the built form is in keeping with the prevailing landscape/ streetscape.

- 6.139. A landscape-led approach has been taken to the masterplan design, taking careful consideration of the relationship between the edges between Oxted and the countryside, to ensure that the landscape acts as an integrating framework for the Proposal and an overarching green infrastructure provision forms part of the Land Use Parameter Plan. Publicly accessible open space and children's play areas will be provided as part of a Green Infrastructure strategy setting out landscaping and ecological enhancement proposals.
- 6.140. The concept design has been informed by a thorough analysis of the character and features of the existing landscape of the Site and its surroundings. The existing boundary vegetation, including hedgerows/ trees (some of which are subject to TPO) were identified as key constraints, The existing PRoW, was also identified as a key design drivers, as was the relationship to St Mary's Church and graveyard.
- 6.141. A Landscape and Visual Impact Assessment is provided within the ES. This identifies that the Site has not been designated for its landscape value. It does not form part of the national landscape, nor the designated an Area of Great Landscape Value (AGLV) (the latter being used widely across Surrey to protect areas outside the national landscape which have their own inherent landscape quality and act as a buffer to the national landscape itself).
- 6.142. The assessment also confirms that the Site not a valued landscape as intended by para 187a) of the NPPF. It is does, however form part of the setting of the national landscape due to proximity and the visual relationship with the same.
- 6.143. The Council's Landscape Capacity and Sensitivity Study concluded that the Site is of moderate value and moderate sensitivity and that it has medium landscape capacity for housing development.
- 6.144. The LVIA in the ES concludes that during the construction phase, temporary landscape effects will be experienced both by the Site and within the wider study area. For the Site the effects will be major and adverse and for the wider

area, effects will be minor and adverse. There will be negligible effects on the Surrey Hills national landscape.

- 6.145. During the construction phase, temporary visual effects will be experienced by some visual receptors. Users of the bridleway which crosses the Site are predicted to experience major and adverse effects; visitors to the burial ground and residents of properties on Wheeler Avenue are predicted to experience moderate and adverse effects; and visitors to St Mary's Church, users of Barrow Green Road , Chalkpit Lane and Wheeler Avenue, and residents of properties north and west of the Site are predicted to experience minor and adverse effects.
- 6.146. Effects as a result of the operational phase include a major adverse effect at the Site level, due to the permanent introduction of built form onto open agricultural land (as is expected). There will be a minor neutral effect on landscape features (the retained trees and The Bogs) and a minor adverse effect on the character of the wider area (noting that the proposal would not be uncharacteristic of the receiving townscape to the east and south).
- 6.147. Effects on the national landscape itself are predicted to be negligible. The proposal would not impact on any ridgelines and, due to intervening distance, would not impact on the tranquillity of the national landscape, and will not harm any public views from the same. Existing public views towards the scarp from the footpath as it crosses the Site would be maintained and new public views of the scarp would be created from the extensive areas of public open space which are proposed.
- 6.148. Therefore, the requirements of CSP18 and DP7 are met, in terms of the character integrating with its surroundings. The requirements of CSP20 and 21 are inevitably not met in full, due to development of an open field within the setting of the national landscape, which will change the character of the Site at a local level.
- 6.149. However, we also note that in *Hopkins Homes Ltd v SSCLG* [2017] UKSC 37 Lord Carnwath said [63] the Inspector was "clearly entitled" to reduce the weight to be attached to restrictive policies, such as countryside and landscape policies, where they are derived from settlement boundaries that in turn reflect

out-of-date housing requirements. There are obvious parallels with the situation arising here in Tandridge. The conflict with CSP20 and CSP21 attracts reduced weight.

- 6.150. At the time of preparing the Application, Natural England ("NE") is pursuing a project to determine whether the Surrey Hills AONB boundary should be varied.
- 6.151. The Application Site lies within an area which NE are proposing to be included within an extended AONB. The proposals are still subject to consultation.
- 6.152. As paragraph 28 of the Chichele Road Appeal Decision notes, *"NE will be finalising its proposals and prepare a Designation Order, which will then be transferred to the Secretary of State for Environment, Food and Rural Affairs for confirmation. Although the evidence presented at the Inquiry shows that the project has reached an advanced stage of preparation, the Secretary of State may call a public inquiry before deciding whether or not areas become part of the Surrey Hills AONB."*
- 6.153. Whilst any decision to include the Application Site as part of the Surrey Hills AONB Boundary Variation is a material consideration, the current position is the Site is not within the AONB. As such, the inclusion or otherwise of the Site within the AONB in the future is not determinative given the many public benefits that are derived from the Appeal Scheme which justify the grant of planning permission.
- 6.154. Policy CSP17 (Biodiversity) requires protection of biodiversity, and the maintenance, enhancement, restoration and (if possible) expansion of biodiversity.
- 6.155. Policy DP19 of Local Plan Part 2 (Biodiversity, Geological Conservation & Green Infrastructure) protects irreplaceable habitats (such as ancient woodland), seeks to avoid harm to the green infrastructure network and any Priority Species.
- 6.156. NPPF paragraph 187 protects sites of biodiversity value and soils and seeks to minimise impacts on biodiversity. It supports development providing biodiversity net gains and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs,

6.157. As detailed above, the ecology reports submitted with the application confirm that the proposal will deliver a net gain in excess of statutory requirements, including a **+15.3% net gain** in habitat units and a **+271.39% net gain** in hedgerow units, and **+21.31% net gain** in watercourse units. The PEA and protected species surveys set out suitable mitigation measures to ensure no adverse impact on protected species or designated sites.

6.158. Policy CSP13 (Community, Sport and Recreation Facilities/ Services) provides that residential developments may be required to include appropriate open space, play areas or other accessible green space to meet the needs of residents and/or to contribute to the enhancement of such facilities in the area. The standard set out in that policy is 1.27 ha per 1000 population (for playing space). The policy also seeks protection of the Rights of Way network and encourages improvements to the same.

6.159. The Land Use Masterplan (Drawing No. 3129-A-1200-PL-B) sets out the parameters for delivery of open/ green space, which will be further detailed at reserved matters stage. As per the key on that drawing, the proposal commits to delivery of public open and amenity space (including equipped children's play areas) and additional landscaping and ecological enhancement works. The right of way through the Site is to be protected and enhanced and publicly accessible open space and play space will meet the requirements of Policy CSP13.

B: Highways and Transport

6.160. Policy CSP12 (Managing Travel Demand) requires that new developments make improvements to the existing network and have regard to adopted highway design standards and parking standards.

6.161. Policy DP5 of Local Plan Part 2 (Highway Safety and Design) requires the submission of a Travel Plan and Transport Assessment for proposals which generate significant amounts of traffic. The policy states that development will be permitted where it complies with relevant design guidance, does not unnecessarily impede the free flow of traffic or create hazards, retains/

enhances existing footpaths/ cycleways, provides safe and suitable access and funds any necessary mitigation measures.

- 6.162. Policy DP7 (General Policy for New Development) requires that regard is had to the adopted Parking Standards SPD (2012) or successor documents.
- 6.163. The TA demonstrates how the Application Scheme accords with the requirements at 9 of the NPPF, including, but not limited to, paragraphs 109, 110, 115, and 117.
- 6.164. The Application Scheme provides a real opportunity for future residents to access services and facilities, including employment opportunities and education by means other than the private car.

C: Loss of Agricultural Land

- 6.165. NPPF paragraph 187 requires a recognition of the economic and other benefits of the best and most versatile agricultural land and, as per footnote 65 “where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.”
- 6.166. There is no Development Plan policy which specifically protects agricultural land (aside from policies protecting the countryside/ landscape character). In any event, this parcel of land is a small pocket of land adjacent to the built up area of Oxted which is likely to limit its efficient use for agricultural purposes.

D: Heritage

- 6.167. Policy DP20 (Heritage Assets) of Local Plan Part 2 sets out policy for the protection, preservation and enhancement of historic interest, cultural value, architectural character, visual appearance and setting of the District's heritage assets and historic environment. Only where the public benefits of a proposal significantly outweigh the harm to a designated heritage asset or its setting, will exceptional planning consent be granted.

6.168. This wording is not entirely consistent with the NPPF, which provides clear direction on the appropriate tests for decision makers to apply. As per paragraph 215 NPPF, “where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.

6.169. As set out above, the Heritage Impact Assessment establishes that the Site, at present, makes a limited contribution to the significant of the Church of St Mary the Virgin, as a remnant of its historic rural setting, and the views afforded to the same. This element of the setting will be altered by the proposal development, changing the approach from the north-west. The scale of harm is assessed as being ‘limited’ and ‘less than substantial’. Therefore, in accordance with the NPPF, that harm must be weighed against the public benefits of the proposal, which are numerous (as set out in Section 1 of this report). The benefits include:

- Provision of much needed homes in a sustainable location, helping to meet identified housing needs (for both market and affordable housing) in the context of a duty to significantly boost the supply of housing. This includes 50% affordable housing and specialist older persons’ housing for which there is clear evidence of need.
- Provision of new public open space and provision of additional green infrastructure, which links into existing green infrastructure routes, and provides enhanced opportunities for public recreation and additional habitat and ecological corridors.
- Delivery of homes in an accessible location and delivery of new energy efficient housing stock.
- Increased local expenditure to sustain local services and facilities.
- Local job opportunities and increased economic activity in the short, medium and long term.
- The Scheme satisfies the economic, social and environmental roles of sustainable development, as sought by the NPPF.

6.170. On this basis we conclude that the limited harm to the setting of the Church of St Mary the Virgin is outweighed by the benefits.

E: Flood Risk and Drainage

6.171. Policy CSP15 (Environmental Quality) requires the inclusion of Sustainable Drainage Systems (SuDS).

6.172. Policy DP21 (Sustainable Water Management) seeks to secure opportunities to reduce flooding through the incorporation of SuDS. The policy sets out the requirement for a sequential test and Flood Risk Assessment (noting that the policy is not entirely consistent with the NPPF and PPG). The FRA must demonstrate that the proposal would reduce flood risk and includes appropriate flood resilient and resistant design measures so as to reduce flood risk to appropriate levels.

6.173. This Site is at low risk of fluvial flooding, as set out in the Flood Risk Assessment submitted with the application.

6.174. SuDS have been incorporated into the design of the proposal, to ensure surface water can be attenuated on site without impacting nearby land in the post-development scenario. This is detailed in the Flood Risk Assessment and Drainage Strategy. The policy requirements are therefore met.

6.175. On account of the existing ponding of surface water on the site, the Application is accompanied by a Sequential Test.

6.176. The Sequential Test prepared by RPS addresses hydrological and matters and concludes there are a limited number of sites which are sequentially preferable in hydrological terms. Of those that are, a number are not 'appropriate for the proposed development' in planning terms or are not 'reasonably available'. (as required by paragraph 172 NPPF)

6.177. In carrying out that assessment, the Sequential Test applies the approach at paragraph 7-028-20220825 of the PPG which gives a definition of 'reasonably available sites' as:

*"those in a suitable location for the **type of development** with a **reasonable prospect that the site is available** to be developed **at the point in time envisaged for the development**. These could include a series of smaller sites and/or part of a larger site if these would be capable of accommodating the proposed development. Such lower-risk sites do not need to be owned by*

the applicant to be considered ‘reasonably available’ (Our emphasis in bold).

6.178. The Mead Realisations / Redrow HC Judgement is relevant. In that case, opposition to Redrow's scheme argued that only “the” most sequential preferable site can come forward for development even in the face of significant housing need.

6.179. LJ Holgate dealt with this in the Judgement where he concluded that:

“A similar analysis applies in the determination of planning applications. Where there is an unmet need, for example a substantial shortfall in demonstrating a 5 year supply of housing land, that shortfall and its implications (including the contribution which the appeal proposal would make to reducing that shortfall) are weighed in the overall planning balance against any factors pointing to refusal of permission (including any failure to satisfy the sequential test). If the total size of sequentially preferable locations is less than the unmet housing need, so that satisfying that need would require the release of land which is not sequentially preferable, that too may be taken into account in the overall planning balance. But these are not matters which affect the carrying out of the sequential test itself. Logically they do not go to the question whether an alternative site is reasonably available and appropriate (i.e. has relevant appropriate characteristics) for the development proposed on the application or appeal site. Instead, they are matters which may, for example, reduce the weight given to a failure to meet the sequential test, or alternatively increase the weight given to factors weighing against such failure”.

6.180. In the event the Council considers there are sequentially preferable sites available it remains the case that the immediate housing need cannot be met in full by relying on those sites alone.

6.181. As such, any alleged failure of the sequential test should not be determinative. Consistent with the judgement of Holgate J in the *Redrow/Mead* case, it is a matter to be weighed in the planning balance.

6.182. The above considerations have been included in the overall planning balance.

6.183. Even in a scenario where the Application Scheme fails sequential test, which

finding would be inconsistent with the Applicant's conclusion, planning permissions should still be granted.

F: Air Quality

6.184. Policy DP22 (Minimising Contamination, Hazards & Pollution) of Local Plan Part 2 seeks to avoid development which by virtue of air pollution, or development which would be likely to suffer unacceptable nuisance as a result of proximity to source of air pollution.

6.185. An air quality assessment has been undertaken as part of the ES to consider the air quality impacts from the construction phase and once the scheme is fully operational. A number of mitigation measures have been recommended to mitigate the risk of adverse dust effects during the construction phase, and provided these are secured, the impacts will not be significant. During the operational phase, the transport movements associated with the proposal are the key source of air quality impacts. The air quality assessment concludes there will be no significant residual air quality impacts. . Therefore, air quality impacts are considered to be acceptable and policy compliant.

G: Noise

6.186. Policy DP22 of the Local Plan Part 2 (Minimising Contamination, Hazards & Pollution) states that for proposals involving new residential development sited close to transport derived noise sources (such as the railway line), applications will be considered against the noise exposure categories as outlined in the Noise Exposure Categories table in the supporting text, and other material considerations where necessary.

6.187. A noise impact assessment has been prepared and is contained within the ES submitted with the application. The assessment concludes that there will be no significant residual effects following adoption of suitable mitigation measures. As such this policy requirement is satisfied.

H: Energy, Sustainability and Climate Change

6.188. Policy CSP14 (Sustainable Construction) sets a requirement to reach a minimum 20% saving in CO2 emissions through the incorporation of on-site renewable energy.

6.189. The Energy Strategy submitted with the application sets out the measures adopted to achieve significant CO2 emission reductions in this development including alignment with the Future Homes Standard (FHS), for energy efficient homes. This requires that new homes produce 75-80% less carbon emissions compared to those built to the Approved Document L (AD L) 2013.

6.190. This supports the development of 'zero carbon ready' homes, which will not require retrofitting to become zero carbon as the electricity grid decarbonises. It is proposed that individual air-source heat pumps (ASHPs) be used to ensure efficient, low carbon space heating and hot water in the new dwellings. Solar PV will also be utilised. Collectively these 'fabric first' and renewable energy measures generate a 77.9% reduction in CO2 emissions. As such this exceeds the Development Plan policy requirement.

I: Housing Type and Mix

6.191. Policy CSP7 (Housing Balance) requires 'an appropriate mix of dwelling sizes' in accordance with current identified needs for particular areas of the District, as set out in future Housing Need Surveys and Strategic Housing Market Assessments.

6.192. The policy also encourages the provision of housing for the elderly. Policy CS8 states that the Council will provide (via allocations/ decisions on applications) for at least 162 units of Extra Care Housing in the period up to 2016 and additional units in the period 2017-2026 following an updated assessment of need.

6.193. The Older Persons Housing Needs report summarises current need in the district and identifies a shortfall in provision when taking account of qualitative as well as quantitative factors (such as the need for single occupancy/ensuite accommodation).

- 6.194. The precise housing mix for the 190 dwellings will be developed following the grant of outline planning permission, and form the basis of a reserved matters application.
- 6.195. As such, there is limited ability to determine compliance or otherwise with these policies, other than to demonstrate that they are capable of being met at reserved matters stage. The proposal does include an 80 bed extra care home, which is supported by Policy CSP7.

Overall Assessment and Planning Balance

Engagement of the Tilted Balance

- 6.196. The NPPF is a material consideration; and paragraph 11(d) together with footnote 8 directs that as there is not a five-year supply of housing land in Tandridge the tilted planning balance is engaged.
- 6.197. Furthermore, the 'most important policies' for determination of the application are out of date. This is further justification for engagement of the titled balance.
- 6.198. In *Wavendon Properties v SSHCLG & Milton Keynes Council* [2019] EWHC 1524 (Admin) the High Court considered the meaning of the phrase "the policies which are most important for determining the application are out-of-date" in paragraph 11(d) of the NPPF.
- 6.199. At paragraph 56 of the decision the Court clarified that:

"To answer the question posed by paragraph 11(d) it is necessary, having identified those policies which are most important for the determination of the application, to examine them individually and then consider whether taken in the round, bearing in mind some may be consistent and some in-consistent with the Framework, and some may have been overtaken by events and others not, whether the overall assessment is that the basket of policies is rightly to be considered out-of-date. That will, of course, be a planning judgment dependent upon the evaluation of the policies for consistency with the Framework (see paragraph 212 and 213) taken together with the relevant facts of the particular decision at the time it is being examined.."

And at paragraph 58:

"this is a policy designed to shape and direct the exercise of planning judgment. It is neither a rule nor a tick box instruction. The language does not warrant the conclusion that it requires every one of the most important policies to be up-to-date before the tilted balance is not to be engaged. In my view the plain words of the policy clearly require that having established which are the policies most important for determining the application, and having examined each of them in relation to the question of whether or not they are out of date applying the current Framework and the approach set out in the Bloor case, an overall judgment must be formed as to whether or not taken as a whole these policies are to be regarded as out-of-date for the purpose of the decision. This approach is also consistent with the Framework's emphasis (consonant with the statutory framework) that the decision-taking process should be plan-led, and the question of consistency with the development plan is to be determined against the policies of the development plan taken as a whole. A similar holistic approach to the consideration of whether the most important policies in relation to the decision are out-of-date is consistent with the purpose of the policy to put up-to-date plans and plan-led decision-taking at the heart of the development control process. The application of the tilted balance in cases where only one policy of several of those most important for the decision was out-of-date and, several others were up-to-date and did not support the grant of consent, would be inconsistent with that purpose."

- 6.200. In this case, and based upon the Court's reasoning, the basket of "most important policies" for determination of this application are indeed out of date. The list of policies applicable to this Proposal are set out in tabular form in Section 5 above.
- 6.201. The most important policies applicable to this outline application are those related to the spatial strategy, settlement boundaries and the Green Belt. Overall, these are out of date by virtue of being based upon a significantly lower housing requirement, and the substantial ongoing shortage of housing supply.
- 6.202. Policies related to landscape attract reduced weight as they are in turn derived from the Planning Boundaries and approach to countryside protection. As per *Hopkins Homes Ltd v SSCLG [2017] UKSC 37* Lord Carnwath said [63] the Inspector was "clearly entitled" to reduce the weight to be attached to restrictive policies, such as countryside and landscape policies, where they are derived from settlement boundaries that in turn reflect out-of-date housing requirements. There are obvious parallels with the situation arising here in Tandridge.

6.203. In any event, irrespective of whether or not the basket of policies most applicable to the application is out of date, it is clear that there is a very substantial housing supply shortfall in Tandridge, and an absence of a five year supply. As such, the NPPF directs that the tilted balance is engaged.

The Tilted Balance

6.204. The Application Scheme fails to be determined under the presumption set out at paragraph 11(d). In the circumstances, there are no strong reasons that would justify the refusal of planning permission when applying the consideration at footnote 7 of the NPPF.

6.205. The most relevant of those footnote 7 matters are Green Belt, landscape, heritage and flooding. We have set out above that national Green Belt policy is met. Whilst the Site is in the setting of the national landscape, the LVIA predicts a negligible impact on the national landscape itself. Whilst there is a limited impact on the setting of the Church of St Mary the Virgin, this is 'less than substantial' and is outweighed by the public benefits of the proposal. The Proposal's SUDs regime will provide a betterment in terms of surface water management at the site and its immediate surroundings. As such, there is no clear reason for refusal on the basis of any footnote 7 matters.

6.206. As such, **the question for the decision maker is whether the adverse impacts of granting planning permission "significantly and demonstrably" outweigh the benefits when assessed against the NPPF as a whole** (paragraph 11(d)(ii) NPPF) and in particular, having regard to NPPF policy on sustainable locations, the efficient use of land, design quality and affordable housing need. Each of these considerations lends support to this proposal.

6.207. The adverse effects are limited to a) the conflict with the Development Plan; b) the localised change in landscape character/visual impact and c) loss of agricultural land. Each of these is attracts limited weight.

6.208. The only Development Plan conflict relates to the Site's location in the countryside, adjacent to (but outside) the settlement boundary for Oxted – the

most sustainable settlement in the district.

6.209. There is also some change in the character of the landscape (localised), which partially conflicts with CSP20 and CSP21.

6.210. These conflicts arise, however, in a scenario where the Council is unable to demonstrate a five year supply of housing land and additionally, the most important policies for determining the application are out of date. The settlement boundaries and associated landscape policy were decided in support of an out-of-date strategy, which significantly under-delivers on current housing requirements.

6.211. The evidence confirms this is a sustainable location, a point which the Council apparently accepts as the HELAA indicates the Site is in accordance with the Council's preferred strategy of focusing growth upon existing built up areas.

6.212. Turning to the benefits of the scheme, and the NPPF's overall aim for the delivery of sustainable development, we summarise below the economic, social and environmental benefits of the Proposal.

Economic:

6.213. The Proposal will deliver up to 190 dwellings plus an 80 bed extra care home (equivalent to 44.4 homes for land supply calculation purposes) to support growth and the associated provision of infrastructure, to be secured through the preparation of a s106 agreement and by the on-site provision of affordable housing.

6.214. Additionally, the Proposal will generate employment during the construction phase and in the operational phase will be associated with local spending by future residents. This includes 'first occupation expenditure' by future residents, on new furniture and household goods associated with moving in to a new home.

6.215. There will be increased house building in an area where there is demand for new housing; this in turn drives economic growth further and faster. The proposals will contribute to building a strong, responsive and competitive

economy by ensuring that sufficient land of the right type is being made available in the right plan and at the right time to support growth.

6.216. The previous Government's November 2011 Paper 'Laying the Foundations: A Housing Strategy for England' emphasised (at paragraph 11) that: "getting housebuilding moving again is crucial for economic growth – housing has a direct impact on economic output, average 3% of GDP in the last decade. For every new home built up to two new jobs are created for a year.

6.217. Overall these economic benefits attract **moderate weight**.

Social:

6.218. The Proposal supports the social role of sustainable development, in helping to support strong, vibrant and healthy communities, including through the provision of housing supply to meet identified needs.

6.219. The Proposal will deliver up to 190 dwellings, including 50% affordable housing which is in excess of the 34% Development Plan policy requirement. Given the longstanding nature of the housing shortfall, the likely timeframes for new site allocations, the potential for increased housing requirements as a result of changes to the NPPF, and the larger quantum of development on this Site (as compared with comparable appeal schemes) this benefit attracts **very substantial weight**. In a recent appeal nearby, a scheme of half this scale was afforded very significant weight by the Inspector so this weighting is endorsed elsewhere.

6.220. Additionally, the future residents will reside in a sustainable location, within easy walking distance of local facilities including the local primary school. This supports healthy lifestyles which children can walk to school, and fewer private vehicle movements generate less vehicle and carbon emissions.

6.221. The proposal complies with the Golden Rules set out at paragraph 156 of the NPPF; as directed by paragraph 158 of the same, this alone attracts significant weight in the planning balance.

6.222. The Site is also made more accessible, boosting the PRoW network. These features also support healthy, sustainable lifestyles.

6.223. Overall the social benefits attract very **substantial weight**.

Environmental

6.224. The Site is not located on land which is designated for its landscape value; the majority of trees and hedgerow will be retained, with additional planting undertaken. Additional blue and green infrastructure will be provided, including the change of use of lower grade agricultural land to green space.

6.225. The Proposal will deliver sustainable homes built to modern energy efficiency standards in an accessible location. The improvements to walking and cycling infrastructure will support active travel, therefore delivering additional environmental benefits as we transition to a low carbon economy.

6.226. Overall the environmental benefits of the proposal attract **moderate weight**.

Harms and Benefits

6.227. The table below summarises these adverse impacts and benefits, and the weight attributed thereto.

Harms	Weight
Conflict with Development Plan settlement boundaries.	Limited
Localised change in landscape character/visual impact.	Limited
Loss of agricultural land resource	Limited
Benefits	Weight
Provision of up to 95 market homes	Very substantial
Provision of up to 95 affordable homes	Very substantial
Provision of development in a sustainable location, which supports healthy walkable lifestyles	Moderate
Development which complies with the Golden Rules of paragraph 156 NPPF	Significant (as directed by paragraph 158 NPPF)

Delivery green space and improved ProW network.	Moderate
Economic benefits – Creation of jobs during the construction phase and increased spend during the operational phase	Moderate

6.228. When carrying out the planning balance, in the context of the presumption in favour of sustainable development at paragraph 11(d)(ii) of the NPPF, **the adverse impacts are not significantly, nor demonstrably, outweighed by these benefits.**

6.229. By contrast, the benefits significantly outweigh the limited adverse impacts, and planning permission should therefore be granted.

7 SUMMARY AND CONCLUSION

Position Statement

- 7.1. Outline planning permission is sought for the construction of up to 190 dwellings and an 80 bed extra care home. The proposal will deliver 50% affordable housing (up to 95 dwellings). The Site lies outside the designated settlement boundary for Oxted. It does, however, lie directly adjacent to the boundary. The Site is sustainably located, within walking distance of local services and facilities.
- 7.2. This planning application has been informed by a collaborative pre-application process undertaken with the LPA.
- 7.3. The Proposal has been assessed, in terms of its compliance with Development Plan policy. The Proposal complies with all relevant Development Plan policy, save for its position outside of the settlement boundary and the associated localised impact on landscape character.
- 7.4. The basket of policies which are the most important for determining the Application is out-of-date, for the purposes of paragraph 11(d).
- 7.5. Furthermore, there is a lack of five-year housing supply in Tandridge District.
- 7.6. For both of these reasons, the tilted balance of paragraph 11(d)(ii) of the NPPF engaged.
- 7.7. This directs that planning permission should be granted for the proposal unless the adverse impacts would “significantly and demonstrably” outweigh the benefits.
- 7.8. The adverse impacts are limited to the above policy conflict (with out of date policy), localised landscape change and loss of a countryside/ agricultural site, albeit one which is adjacent to the settlement boundary.
- 7.9. These adverse impacts attract limited weight in the planning balance.
- 7.10. The intention of the settlement boundary is to direct development to sustainable

locations and reduce the need to travel by car; as such, the purpose of the policy is met via development of this Site.

- 7.11. As per the approach taken in numerous recent appeals, **limited weight is afforded to the loss of this countryside Site and the localised impacts on rural landscape character, and the Development Plan conflict.**
- 7.12. **The loss of agricultural land also attracts only limited weight**, given the Site is moderate/poor quality agricultural land is not classified as 'best and most versatile agricultural land'.
- 7.13. The Scheme results in many benefits, including the provision of market and affordable housing, in the context a persistent under supply of housing land and no imminent prospect of this being resolved in the short term until the emerging Local Plan progresses. This benefit attracts **very significant** weight, particularly given the delivery of up to 95 affordable homes and 80 units of accommodation for older people.
- 7.14. The Proposal addresses housing need in a sustainable location. We afford this benefit **moderate** weight.
- 7.15. The Proposal also delivers economic benefits (**moderate** weight) and environmental benefits, arising from biodiversity enhancements (**moderate** weight).
- 7.16. Overall, the adverse impacts do not 'significantly', nor 'demonstrably' outweigh these benefits. The proposal delivers sustainable development to address local needs, whilst protecting and enhancing the environment, as is the overarching objective of the planning system, as set out at paragraph 8 of the NPPF.
- 7.17. Tandridge is a highly constrained district, as recognised by numerous recent appeals. The larger settlements in the district are within or in the setting of the National Landscape; as such, there is an inevitable need to accommodate housing growth in the villages and settlements in the north of the District. These locations are sustainable, with walkable access to services and facilities, and public transport to mainline railway stations for journeys further afield.

- 7.18. There is also wide acceptance of the need to utilise greenfield sites, outside Planning Boundaries, as set out in recent appeals, and the Council's own IPSHD SPD .
- 7.19. The Deputy Prime Minister has made clear, in her Statement of 30 July 2024, that "**we are in the middle of the most acute housing crisis in living memory.** This sentiment has been carried forward in the WMS to the NPPF (Dec 2024).
- 7.20. Home ownership is out of reach for too many; the shortage of houses drives high rents; and too many are left without access to a safe and secure home." As such, the Government is clear that "**there is no time to waste. It is time to get on with building 1.5 million homes.**"

Summary

- 7.21. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out a requirement for planning applications to be determined in accordance with the development plan unless other material considerations indicate otherwise.
- 7.22. In this instance, whilst the location beyond the settlement boundary for Oxted means the Application Scheme is in conflict with Policy CSP1, that policy aimed to direct development to sustainable locations and therefore, the proposal accords with the overall policy intention.
- 7.23. The Development plan is not based upon a NPPF compliant assessment of housing need and cannot be said to be up to date in respect of its housing requirement or in relation to policies that seek to restrict development within the defined settlement boundaries.
- 7.24. Policy CSP1 and the settlement boundaries are out of date and any conflict is afforded limited weight in the planning balance. The settlement boundaries are based on a housing need figure which is approximately 12% of the current objectively assessed need. The spatial strategy has failed to deliver housing as planned, with the Housing Delivery Test result being 42%.

- 7.25. The Council is also unable to demonstrate a five year supply of deliverable housing land. It is clear that land beyond existing settlement boundaries will need to be utilised to meet housing need, as is evidenced by the Council's adoption of the IPSHD. In a recent appeal (determined under the previous version of the NPPF) the inspector was clear that the IPSHD on its own is unlikely to address housing needs¹⁶.
- 7.26. The Site is within the Green Belt, but is not defined as 'inappropriate development'. Furthermore the Site is a Grey Belt site, and the proposal complies with the NPPF's Golden Rules, including 50% affordable housing.
- 7.27. The Development Plan Green Belt policy is inconsistent with the NPPF as it doesn't allow for development of Grey Belt land.
- 7.28. As such, that policy is given limited weight (as per NPPF paragraph 232). The proposal complies, however, with relevant Green Belt policy (in particular, paragraphs 155, 156 and 157).
- 7.29. As directed by paragraph 158, **compliance with the Golden Rules attracts significant weight** in favour of the proposal.
- 7.30. Even if it were not accepted that the Site comprises 'Grey Belt' land, any potential harm to the Green Belt by virtue of 'inappropriateness' and any other harm resulting by the proposal is clearly outweighed by other considerations, so as to amount to 'very special circumstances'.
- 7.31. In such a case, the harm is limited to definitional harm to the Green Belt, and moderate impacts on openness and the purposes of Green Belt designation, together with the loss of a parcel of agricultural land. This is outweighed by the collective package of benefits, which include housing delivery (including market housing, 50% affordable housing and older persons housing), development of energy-efficient homes in an accessible location, economic benefits, social

¹⁶ Land at Chichele Road, Oxted (OXT006)

benefits and environmental benefits.

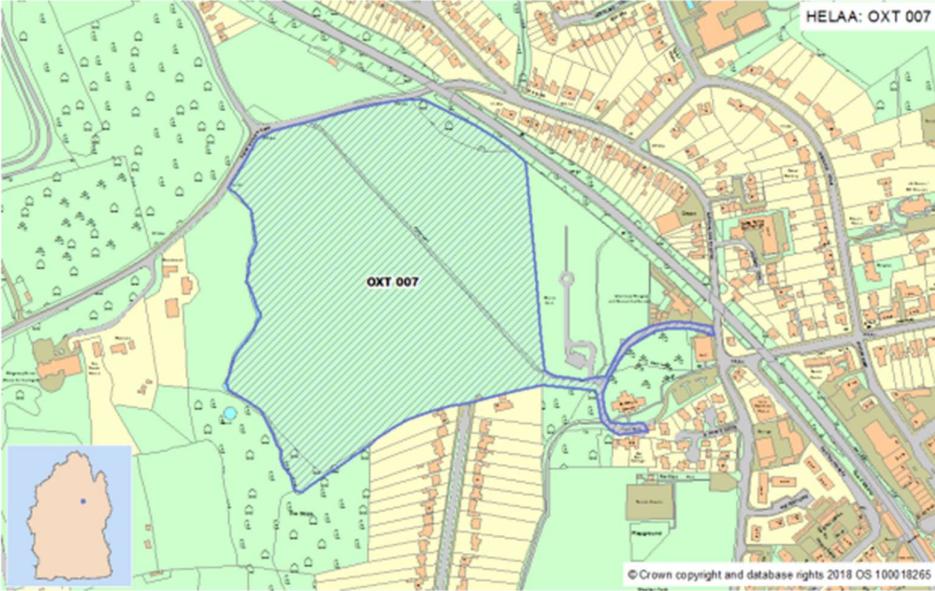
- 7.32. In the circumstances, the presumption in favour of sustainable development (the titled balance) at paragraph 11(d) of the NPPF is engaged.
- 7.33. This requires planning applications to be approved unless footnote 7 considerations provide a strong reason for refusing development (which they do not); or any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. Again, they do not.
- 7.34. This is demonstrably a case where the weight to be attached to conflict with the Development Plan (on account of the conflict with CSP1) can be reduced given the need to breach the settlement boundaries identified in the Development Plan to meet development needs. The substantial weighty material considerations in favour of the Scheme are clearly sufficient to outweigh the identified conflict with a single development plan policy.
- 7.35. On the basis of the foregoing, whilst under the application of 38(6), there is a *prima facie* conflict with development plan policy CSP1, the settlement boundaries upon which the spatial policies operate are out of date by virtue of having been drawn to accommodate non-NPPF compliant development needs, quite apart from issues of 5 year land supply. All this goes to reduce the weight of any breach identified.
- 7.36. Based on the foregoing, the weight to be attached to the conflict between the Application Site and its location adjoining but ultimately beyond the settlement policy boundary for Oxted is significantly reduced.

Conclusion

- 7.37. The benefits from the Application Scheme are many and manifest, not least the provision of housing and affordable housing when the Country and the District faces a housing crisis, which government policy is seeking to address. The Application Site is sustainably located and offers one of few options for delivery of growth in a tier one settlement without impacting on valued landscapes.

- 7.38. When carrying out the overall planning balance, in the context of the presumption in favour of sustainable development at paragraph 11(d)(ii) of the NPPF, the material considerations in favour of the Scheme (provision of market and affordable housing, economic benefits, social benefits and environmental benefits) outweigh the conflict with an out of date settlement boundary, loss of lower grade agricultural and localised change to the landscape.
- 7.39. The Application Scheme satisfies the economic, social and environmental roles of the NPPF and has been advanced following pre-application and has been amended to respond to the advice received.
- 7.40. For the reasons set out above, planning permission should be granted.

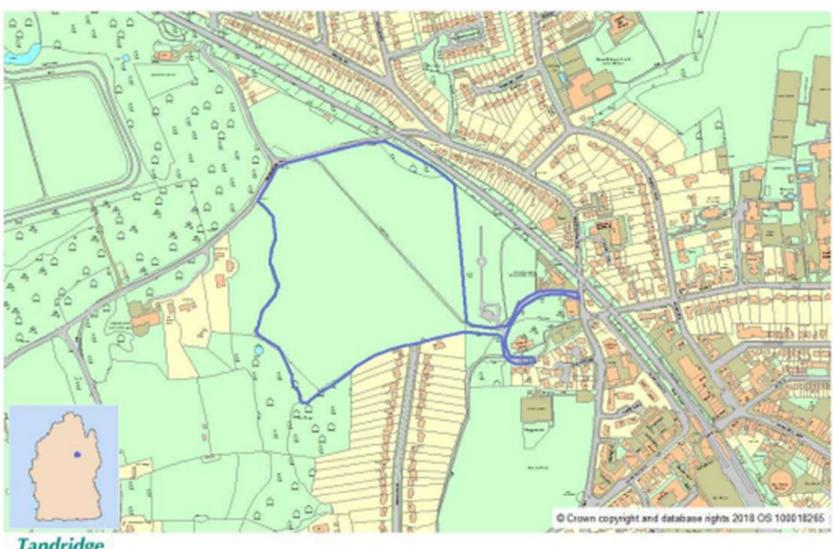
APPENDIX ONE - 2018 HELAA Appendix Three: Deliverable and Developable Sites

HELAA Reference Number	OXT 007
Address	Land adjacent to The Graveyard and St Mary's Church
	
Tandridge District Council Land adjacent to The Graveyard and St Mary's Church	
Site Size (Hectares)	9.88
Approximate Developable Area (Hectares)	9.56
Site Description	The site is a large field located west of the built-up area of Oxted, it is used for agriculture and lined by trees and hedges. It is located adjacent to a cemetery to the east and to large detached residential properties to the south. A right of way runs across the site and appears in regular use for recreation.
Suitability	The site slopes broadly from east to west, but the topography would not prevent development. Although there are a number of Tree

	Preservation Orders on the site, this would not prevent development, either. The developable area has been reduced slightly in order to maintain a 15 metre buffer from Ancient Woodland on the south western boundary of the site. This would have to be considered through the development management process. The site can be accessed from Barrow Green Road and Wheeler Avenue. The site is considered able to accommodate development, but as it is currently in the Green Belt this would have to change in order for the site to be developed.
Availability	The site has been submitted by the landowner and is considered available.
Achievability	No constraints that could render the site financially unviable are identified at this time.
Status	Developable - For the purposes of the HELAA, the site is considered to be developable and capable of coming forward after 5 years, should the site be allocated in the Local Plan.
Estimated Site Yield	250
Strategy compliance	Site is in accordance with the Preferred Strategy.

APPENDIX TWO – Green Belt Part 3 Assessment (Appendix 1)

OXT 007 – Land adjacent to The Graveyard and St. Mary's Church, Oxted

OXT 007 – Land adjacent to The Graveyard and St. Mary's Church, Oxted	
EXTENT & LOCATION OF SITE	 <p>Land adjacent to The Graveyard and St. Mary's Church</p>
Proposed Development: Residential, 250 units	
Spatial Strategy	
Is the site strategy compliant?	The site is undeveloped land located on the edge of the built-up area of Oxted, a sustainable settlement designated as Tier 1 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.
Green Belt Assessment	
Does the Green Belt Assessment recommend that the GB in this location should be retained/or further considered in terms of exceptional circumstances?	The site has been considered through the Green Belt Assessment Part 1 as part of GBA 017 and through Part 2 as part of AFI 053. The Green Belt evidence concludes that the parcel plays an effective role in checking urban sprawl as development is contained within the urban boundary. The parcel is also considered to effectively assist in safeguarding the countryside from encroachment, and plays only a minor role in preventing the merging of settlements as there is a considerable distance between Oxted and the next nearest town, and the towns of Old Oxted and Oxted have merged. Part 2 confirms the above points and concludes that it should not be considered further.
What is the nature and extent of the harm to the Green Belt if the site is developed?	Given that the Green Belt in this location serves the purposes of preventing sprawl and assists in safeguarding the countryside from encroachment, development in this location is likely to result in harm to the ability of Green Belt in this location to continue to serve these purposes. In addition, there is potential for harm to the ability of the wider Green Belt to meet the Green Belt purposes.
To what extent can the consequent impacts on the purposes of the Green Belt be ameliorated or reduced to the lowest	Given the strong contribution to openness and the Green Belt purposes in this location, it is considered that a major housing development of 250 units would cause significant harm to openness and increase encroachment. Whilst a sensitively designed scheme may reduce impact, harm is unlikely to be outweighed.

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	reasonably practicable extent?	
	Other evidence base considerations	
	Does the ecology evidence consider the site is ecologically suitable?	The ecology evidence has determined that this site is Ecologically Suitable for housing development (8.8ha). However woodland pockets and landscape corridors would need to be protected and buffered. Access to east restricted due to mature hedgerows and woodland. If primary vehicular access can be gained from Barrow Green Lane, then the site would be ecologically suitable. Should this site be allocated, the developable yield and area are likely to be amended to reflect the constraints.
	Does the landscape evidence consider the site has capacity to accommodate development in the landscape?	With moderate sensitivity and value, site is judged to have a medium landscape capacity for housing development. The site would potentially be suitable in landscape terms for limited housing proposals, but would need to take into consideration views and the site's contribution to the setting of the surrounding landscape, including the AONB, and demonstrate no adverse impacts on the setting of the existing landscape and settlement. It would also need to be of a form and scale that is closely related to the existing settlement and could include woodland and hedgerows to replicate the local landscape pattern, which would also reduce visual impacts.
	Does the Open Space, Sport and Recreation Facilities Assessment consider that the site is surplus provision or can facilities be re-provided elsewhere?	Not applicable as the site is not existing open space. However, the population resulting from proposed development on this site would generate demands for open space. These would need to be considered against existing provision in the parish and result in policy requirements for on or off-site provision, if the site is allocated.
	Does the Sustainability Appraisal consider that the site is a sustainable location?	It considers that the site can provide sufficient housing, has satisfactory access to GP surgery, schools, the surrounding countryside, employment opportunities and public transport. The site is unlikely to adversely affect the guidelines of the Surrey Landscape Character Assessment. In addition the site is classified as urban under the Agricultural Land Classification system. However, there is potential for the site to conflict with the Landscape Character Area (LCA) guidance which states the development should 'conserve and enhance the landscape setting to villages and edge of settlement' but the effect of development would depend largely on the sensitivity of the design to the local townscape. The site is within close proximity to SNCIs and Ancient Woodland and its development may adversely affect them as a result of predation from domestic cats, noise and light pollution, litter, or increased disturbance from people. The provision of buffer zones and the careful siting of development would help mitigate some of these adverse effects. It is greenfield and its development would be expected to lead to the loss of soil. The site is adjacent to the Grade I listed Church of St Mary the Virgin and as such would need to be designed to conserve and enhance its setting. Land in the Greensand Valley Landscape Character Area.
	Is the site sequentially preferred? Would development of this site increase flood risk or impact on water quality?	The site is within Flood Zone 1, it has a low risk of surface water flooding but a risk of groundwater flooding to surface and subsurface assets; as such it is not sequentially preferred. It is within Groundwater Source Protection Zone 3, with an increased risk of groundwater contamination and within the high risk zone for groundwater vulnerability. In order to mitigate its effects, it would be necessary to

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	<p>Is the proposed development of the site likely to result in harm that would be difficult to mitigate and/or provide opportunities for community benefit?</p>	<p>regulate and monitor water quality and SUDs would be required.</p> <ul style="list-style-type: none"> • Biodiversity enhancement opportunities, comprising the strengthening and extending of hedgerow network, habitat creation to reconnect standalone oak with other habitats, creation of ponds and creation of species diverse grassland. • Diversion of public right of way. • Community Infrastructure Levy eligible/potential contributions or on-site provision of infrastructure
	<p>Discussion</p> <p>Are there exceptional circumstances that would outweigh the harm to the Green Belt and justify Green Belt release?</p> <p>Having considered (i) the acuteness/intensity of the objectively assessed need for housing, (ii) the inherent constraints on supply/availability of land <i>prima facie</i> suitable for sustainable development and (iii) the consequent difficulties in achieving sustainable development without impinging on the Green Belt (Calverton principles (i) to (iii)) in the main report, as well as the reasonable options set out in the draft NPPF 2018, it is evident that development within the Green Belt is necessary.</p> <p>In light of the above, housing development on this site would make a contribution of 250 units which would help meet the district's housing need in the short term, consistent with the principles of sustainable development. Furthermore, the site comprises undeveloped land located on the edge of a Tier 1 settlement and as such is in a preferred location on sustainability grounds, being within close proximity to a GP surgery, schools, countryside, employment and public transport. In addition, the site is considered, in principle, suitable for development from a landscape and ecology perspective subject to mitigation measures. Other potential adverse effects such as the impact upon the setting of listed buildings, surface water flooding and groundwater contamination could similarly be adequately mitigated.</p> <p>However, the development of the site would impact on the ability of this site to serve two of the Green Belt purposes i.e. preventing sprawl and safeguarding from encroachment and would result in the loss of openness. Its impact could be minimised by siting it in the most visually contained section of the site, in addition to using sensitive design, buffers and landscaping, but given its scale, even with all these measures, its impact would still be significant particularly as the site links into the wider rural landscape. Moreover the existing railway line, which forms the existing settlement boundary in this location, provides a strong and defensible boundary that should be retained to protect the settlement form in this location. No other equally robust and defensible boundary has been identified and as such it would impact upon the wider Green Belt's ability to continue to serve these purposes. In addition its development would involve the diversion of a footpath which currently runs through the site.</p> <p>The development of this site would attract CL, and as such would contribute towards infrastructure needed to support the growth of the district. Its development would also provide opportunities to enhance the site's biodiversity.</p> <p>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 not justify the exceptional circumstances necessary to recommend amendment of the Green Belt boundary.</p>	