



Land South of Barrow Green Road,
Oxted, RH8 0NN

**Appeal Technical Note 3: Flood Risk
Assessment and Surface Water Drainage
Strategy**

For

Croudace Homes Limited

Document Control Sheet

Land South of Barrow Green Road,
Oxted, RH8 0NN
Croudace Homes Limited

This document has been issued and amended as follows:

Date	Issue	Prepared by	Approved by
1 st October 2025	Draft	Chris Gray	Neil Jaques
14 th October 2025	Final	Chris Gray	Neil Jaques



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Contents

1.0	Introduction to Refusal Points	1
2.0	Response to Point 1.....	3
3.0	Response to Point 2.....	4
4.0	Response to Point 3.....	6
5.0	Response to Point 4.....	8
6.0	Conclusions.....	10

Appendices

- A Location Plan and Proposed Site Layout Plan
- B LLFA Consultation Letter Referenced LLFA-TA-25-0769RevA and Dated 04/08/2025, Officers Report, Surrey Wildlife Trust Consultation Letter Referenced 387531-001-RH and Dated 13/08/2025 and Planning Decision for Tandridge District Council Planning Application Number 2025/245
- C Updated Surface Water Hydraulic Modelling Report

1.0 Introduction to Refusal Points

- 1.1 This Appeal Technical Note (Appeal TN03) has been prepared by Motion on behalf of our client, Croudace Homes Limited. It provides further information on the Flood Risk Assessment (FRA) and Surface Water Drainage Strategy submitted for Tandridge District Council (TDC) planning application 2025/245, including an updated Surface Water Hydraulic Modelling Report to support the appeal. The Location Plan and Proposed Site Layout Plan are included in [Appendix A](#).
- 1.2 This Appeal TN03 refers to the FRA and Surface Water Drainage Strategy that was approved by the Lead Local Flood Authority (LLFA) subject to conditions for TDC planning application number 2025/245 ([Appendix B](#)). This Appeal TN03 also builds on the Surface Water Hydraulic Modelling Report that was approved by the LLFA subject to conditions for TDC planning application number 2025/245 ([Appendix B](#)).
- 1.3 Although the FRA and Surface Water Drainage Strategy and Surface Water Hydraulic Modelling Report were approved by the LLFA subject to conditions, one of the reasons for refusal of application 2025/245 in the Planning Decision in [Appendix B](#) was the following:

The applicant has not demonstrated that the proposed development, and in particular the outline drainage proposals, will not result in the loss or deterioration of an irreplaceable habitat both on-site and off-site, that is The Bogs ancient woodland, within and adjoining the site boundary. This is contrary to NPPF 2024 paragraph 193 (c) which requires that such development should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. The proposal is also contrary to Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP7 which requires that proposals protect and, where opportunities exist, enhance valuable environmental assets. The proposal is similarly contrary to Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP19 which provides that where a proposal is likely to result in direct or indirect harm to an irreplaceable environmental asset of the highest designation, such as ancient woodland, the granting of planning permission will be wholly exceptional, and in the case of ancient woodland exceptions will only be made where the need for and benefits of the development in that location clearly outweigh the loss, and that impact or loss should not just be mitigated but overall ecological benefits should be delivered.

- 1.4 With reference to the Officers Report in [Appendix B](#), this has been broken down into four areas that need to be addressed, which are as follow:

Point 1:

Hydrological Impacts: the stream running down the western edge of the application site receives surface water runoff from that site as well as piped surface water drainage for the Oxted urban area. The importance of this surface water runoff for maintaining the ancient wet woodland habitat of the Bogs pSNCI, both on-site and off-site, needs to be assessed and factored into the surface water drainage proposals for the proposed development to ensure continuity of an adequate water supply to the ancient woodland and avoid any risk of deterioration of this irreplaceable habitat. The review of the applicant's FRA by consultants acting for the local residents' group comments that the Hydraulic Modelling Report: "shows a reduction in flood levels to the south of the site, which would also mean a reduction in flow to The Bogs. Given the area of ancient woodland with a wet woodland dominated landscape, a reduction in flow may not be a desirable outcome and could have adverse impacts on the biodiversity of the area. The hydraulic modelling studies should go further to demonstrate what would happen on a higher frequency lower magnitude basis and look at a typical annual water balance to identify the full impact to The Bogs."

Point 2:

The same consultants have then commented on the further information provided by the applicant's technical note in response to an initial objection to the application by the LLFA, as follows:

"there is nothing in the technical note to consider the impacts of the development on the hydrology of The Bogs. It appears that the SuDS design has been optimized to consider the flood risk at the site without considering the role that both surface and groundwater flowing from the site plays in sustaining the environment of The Bogs. A programme of monitoring should be undertaken to understand the seasonal variation in groundwater level and flows in The Bogs and surrounding area, which would at least provide an idea of the baseline conditions.

Point 3:

With the SuDS design including detention ponds which are sealed to prevent the upwelling of groundwater Motion should make an assessment of how this and the impermeable roads and building slabs of the site may affect the groundwater. The location of the spring which was identified may then move as the groundwater would take the path of least resistance to the lowest ground elevation. Also, with the ponds being designed to store the surface runoff from the site and only have an outflow when levels reach a certain height under extreme conditions, a significant volume of surface water may be prevented from reaching The Bogs and instead would be stored and lost through evaporation. Motion should also undertake an annual pond water balance assessment over a number of years to identify how much water typically would be prevented from reaching The Bogs under the proposed design. Overall, the total storage capacity of the four ponds to the western side of the site is 2452 m³, according to the information in the layout drawing in Appendix B of the technical note which is a significant volume potentially lost from inflow to The Bogs."

Point 4:

Your officers agreed with much of this consultant's assessment and tried to obtain more information from the applicant on continuity of water supply to The Bogs but this has not been forthcoming at the date of determining this planning application. None of the applicant's relevant reports have made an assessment of flow rates of water into The Bogs prior to or following development. There is consequently no way of ascertaining that, post-development, current flows of water into The Bogs will be maintained and that irreparable harm to the AW will not result. Once again, based on the precautionary principle, the surface water drainage proposals for the development need to incorporate provision for no diminution in, or significant exceedances of, the supply of water from the application site by way of surface water run off or stream feed into The Bogs pSNCI. The quality of surface water to be discharged via the proposed SuDS drainage system to be built as part of the development also needs to be assured.

- 1.5 Further information is provided in the following Sections to address the four points above from the Officers Report for planning application 2025/245.

2.0 Response to Point 1

Surface water runoff for maintaining the ancient wet woodland habitat of the Bogs pSNCI, both on-site and off-site, needs to be assessed

- 2.1 At the outline planning application stage, the LLFA requested surface water runoff from the impermeable areas of the post development site should be discharged using a staged discharge approach, with flows limited to the greenfield Q1, Q30 and Q100 rates for the corresponding storm events. Motion adhered to this request in Technical Note TN02 dated 24th July 2025, which was approved by the LLFA; and, Condition 1)c) of the LLFA's proposed conditions in **Appendix B** states "*If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 11.1l/s for the 2 year, 29.1l/s for the 30 year, 40.3l/s for 1in100 year including multifunctional sustainable drainage systems*".
- 2.2 Therefore, the greenfield runoff rates from the proposed development site have been fully assessed and quantified.

Hydraulic Modelling Report: "shows a reduction in flood levels to the south of the site" and "The hydraulic modelling studies should go further to demonstrate what would happen on a higher frequency lower magnitude basis"

- 2.3 With reference to the Surface Water Hydraulic Modelling Report submitted for the outline planning application, the model was run for the 100 year plus 45% allowance for climate change rainfall event for a six-hour duration, and a 1-in-2 year greenfield discharge rate of 20.3l/s was applied to the model for the post-development site.
- 2.4 Section 7.10 of the Surface Water Hydraulic Modelling Report submitted for the outline planning application stated "*Comparison between the baseline and post-development model outputs during the 1% AEP plus 45% climate change event demonstrate the proposals are not predicted to have a detrimental impact on flood risk to third parties. The post-development scenario is predicted to result in a decrease in peak depths downstream of up to 11mm*".
- 2.5 With reference to the requirement for a staged discharge approach for the post-development site in Paragraph 2.1 above, the updated Surface Water Hydraulic Modelling Report in **Appendix C** now assumes the site will drain as it currently does (in terms of discharge rates for variable storm events) in the post-development situation; and the hydraulic model has been run for the 1, 2, 5, 10, 30, 100 and 100 year plus 45% allowance for climate change rainfall events, rather than just the 100 year plus 45% allowance for climate change rainfall event. As such, a full suite of rainfall events have been considered, including the "*higher frequency lower magnitude*" events, as requested.
- 2.6 With reference to Section 3.0 of the updated Surface Water Hydraulic Modelling Report in **Appendix C**, the ground level changes associated with the post-development proposals are considered to have a negligible impact on flood depths and flows within The Bogs during a range of storm events.
- 2.7 In conclusion, surface water runoff maintaining The Bogs ancient woodland has been factored into the proposed surface water drainage strategy for the outline planning application, and assessed with reference to the Surface Water Hydraulic Modelling Report, which has been updated to include higher frequency lower magnitude rainfall events.

3.0 Response to Point 2

3.1 As discussed in Section 2.0 above:

- ▶ At the outline planning application stage, the LLFA requested surface water runoff from the impermeable areas of the post development site should be discharged using a staged discharge approach, with flows limited to the greenfield Q1, Q30 and Q100 rates for the corresponding storm events. Motion adhered to this request in Technical Note TN02 Dated 24th July 2025, which was approved by the LLFA and; Condition 1c) of the LLFA's proposed conditions in **Appendix B** states "*If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 11.1l/s for the 2-year, 29.1l/s for the 30-year, 40.3l/s for 1 in 100-year including multifunctional sustainable drainage systems*".
- ▶ Section 7.10 of the Surface Water Hydraulic Modelling Report submitted for the outline planning application stated "*Comparison between the baseline and post-development model outputs during the 1% AEP plus 45% climate change event demonstrate the proposals are not predicted to have a detrimental impact on flood risk to third parties. The post-development scenario is predicted to result in a decrease in peak depths downstream of up to 11mm*".
- ▶ With reference to Section 3.0 of the updated Surface Water Hydraulic Modelling Report in **Appendix C**, the ground level changes associated with the post-development proposals are considered to have a negligible impact on flood depths and flows within The Bogs during a range of storm events.

3.2 With reference to the FRA and Drainage Strategy submitted for the outline planning application, groundwater was not encountered to 2.00m Below Ground Level (BGL) during the infiltration testing undertaken onsite in November 2024. The infiltration testing investigation included a trial pit excavated at the approximate low point of the site (TP3).

3.3 During the site visit undertaken on the 9th May 2024, it was noted that there appeared to be a spring onsite. Please see **Figure 3.1**, below. Approximately where the spring originates onsite is shown on the Drainage Strategy in **Appendix H** the Flood Risk Assessment and Drainage Strategy submitted for the outline planning application.

Figure 3.1 –Spring onsite



3.4 Groundwater monitoring wells were installed in the permanently wet area and predominantly recorded the groundwater level at; close to; or in some cases, above the ground surface. Trial pits subsequently

excavated in close proximity to the spring area showed that groundwater levels were below ground when moving away from the saturated ground associated with the spring and as ground levels rise. Groundwater flow directions have not been definitively mapped, but it is most likely the local flow direction is NW to SE. This emerges in the topographic depression where the wet spring area is located.

- 3.5 With reference to the FRA and Drainage Strategy submitted for the outline planning application, development has been kept out of the wet area associated with the spring, and no buildings have been located either between the watercourse and the wet area, or within 10m of the wet area.
- 3.6 As stated in Section 2.8 of Motion's Technical Note TN02 Dated 24th July 2025 submitted for the planning application, "*Full main investigation ground investigation, infiltration testing and construction details for the SuDS are to be provided at the detailed design stage*".
- 3.7 In conclusion, the role that both surface and groundwater flowing from the site plays in sustaining the environment of The Bogs has been considered as part of the proposed surface water drainage strategy and development layout for the outline planning application, therefore monitoring in the Bogs ancient woodland is not required.

4.0 Response to Point 3

With the SuDS design including detention ponds, which are sealed to prevent the upwelling of groundwater, Motion should make an assessment of how this and the impermeable roads and building slabs of the site may affect the groundwater

- 4.1 As discussed in Section 3.0 above, groundwater monitoring wells were installed in the permanently wet area associated with the spring and predominantly recorded the groundwater level at, close to, or in some cases, above the ground surface. Trial pits subsequently excavated in close proximity to the spring area showed that groundwater levels were below ground when moving away from the saturated ground associated with the spring and as ground levels rise. Groundwater flow directions have not been definitively mapped, but it is most likely the local flow direction is NW to SE. This emerges in the topographic depression where the wet spring area is located.
- 4.2 The approximate location of where the spring originates is shown on Motion drawing number 2404081-0500-01 P06 [Drainage Strategy] in Appendix B of Motion's Technical Note TN02 Dated 24th July 2025 submitted for the outline planning application, and lines of evidence such as the topographic level where the spring originates, and the targeted groundwater investigation undertaken in this location, indicate that the maximum groundwater level is around 97.57m Above Ordnance Datum (mAOD).
- 4.3 As stated in Motion's Technical Note TN02 Dated 24th July 2025 submitted for the planning application, "*Full main investigation ground investigation, infiltration testing and construction details for the SuDS are to be provided at the detailed design stage*" and "*it can be seen in the updated drainage strategy that a lot of shallow swales; pervious pavement areas and geocellular storage are yet to be included in the model*". On this basis, it is likely the depth of the basin proposed between the ordinary watercourse and the wet area associated with the spring will be reduced in depth at the detailed design stage. It is also important to note that the groundwater investigation undertaken in Appendix D of the FRA and Drainage Strategy submitted for the outline planning application identified topsoil over sandy CLAY to a depth of 0.55m and water inflows at 0.7 and 0.8m BGL in the location of the basin proposed between the ordinary watercourse and the wet area associated with the spring (Trial pits 13 and 16), indicating low permeability ground conditions at the currently proposed depth of the basin. Therefore, there is likely to be very low groundwater mobility in the sandy CLAY, and locating the lined basin in this stratum will not affect groundwater levels or groundwater supply.
- 4.4 With reference to the FRA and Drainage Strategy submitted for the outline planning application, development has been kept out of the wet area associated with the spring, and no buildings have been located either between the watercourse and the wet area, or within 10m of the wet area. Proposed development ground levels will also be approximately 700mm-1000mm higher than existing levels in the southwest of the site post development. The LLFA consultation letter referenced LLFA-TA-25-0769RevA and Dated 04/08/2025 contains an informative stating "*Sub ground structures should be designed so they do not have an adverse effect on groundwater*". The Sub ground structures will be informed by the full main investigation ground investigation at the detailed design stage and designed so they do not have an adverse effect on groundwater.

Also, with the ponds being designed to store the surface runoff from the site and only have an outflow when levels reach a certain height under extreme conditions, a significant volume of surface water may be prevented from reaching The Bogs and instead would be stored and lost through evaporation

- 4.5 The proposed capacities of the basins are calculated to attenuate the increased rate of surface water runoff from the impermeable areas introduced as part of development during extreme rainfall events, rather than to retain surface water runoff. Therefore, we would like to assure the appeal that the above statement that "*the ponds [have been] designed to store the surface runoff from the site and only have an outflow when levels reach a certain height under extreme conditions*" and "*a significant volume of*

surface water may be prevented from reaching The Bogs and instead would be stored and lost through evaporation" is untrue.

Motion should also undertake an annual pond water balance assessment over a number of years to identify how much water typically would be prevented from reaching The Bogs under the proposed design

- 4.6 Please see Section 2.1 above for the requirement for surface water runoff from the impermeable areas of the site post-development to be discharged using a staged discharge approach, with flows limited to the greenfield Q1, Q30 and Q100 rates for the corresponding storm events. Because the site benefits from a constant variable discharge rate that replicates the greenfield runoff from the site, an annual pond water balance assessment is not required.
- 4.7 In conclusion, groundwater has been considered as part of the proposed surface water drainage strategy and development layout for the outline planning application, and the proposed capacities of the basins have been calculated to attenuate the increased rate of surface water runoff from the impermeable areas introduced as part of development during extreme rainfall events, rather than to retain surface water, therefore an annual pond water balance assessment is not required.

5.0 Response to Point 4

5.1 Motion was not made aware of the reviews undertaken on the FRA and Drainage Strategy; Surface Water Hydraulic Modelling Report; and Technical Note TN02 Dated 24th July 2025 submitted for the outline planning application by consultants acting for the local residents' group. Neither was Motion made aware of Surrey Wildlife Trust Consultation Letter Referenced 387531-001-RH and dated 13/08/2025 in **Appendix B** that states "*We would conclude that there is insufficient evidence for us to confirm that the proposed development will not have an adverse affect upon the 'The Bogs' pSNCI, the ancient & semi natural (wet) woodland and the priority wet woodland*". This was the reason Motion only responded to the comments and feedback from the LLFA and not those further comments from other stakeholders.

5.2 However, Motion's Technical Note TN02 Dated 24th July 2025 did inform the Woolf Bond Planning Letter referenced SB/9060 and dated 25th July 2025, which was submitted for the outline planning application and stated the following:

"The surface water drainage proposals for the proposed development incorporate provision for no diminution in the supply of water from the application site by way of surface water run off to The Bogs by:

- using a staged discharge approach whereby post development flows to the ordinary watercourse running down the western edge of the application site will replicate the greenfield Q2, Q30 and Q100 rates for the corresponding storm events, and*
- the proposed development will be kept out of the existing spring area."*

5.3 The Woolf Bond Planning Letter referenced SB/9060 and dated 25th July 2025 also contained an updated Barton Hyett Arboricultural Impact Assessment Referenced 5527 Revision B and Dated 22nd July 2025 that confirmed the proposed surface water drainage strategy was acceptable in arboricultural terms.

5.4 With regards to the quality of the surface water to be discharged via the proposed SuDS drainage system, the FRA and Drainage Strategy submitted for the outline planning application provided evidence showing how the open SuDS may be constructed to provide sufficient pollution mitigation, prior to discharge to groundwater and surface water, and the FRA and Surface Water Drainage Strategy was approved by the LLFA subject to conditions.

5.5 In conclusion, Motion's submissions for TDC planning application 2025/245 did make an assessment of flow rates of water into The Bogs ancient woodland prior to and following development, and, Condition 1)c) of the LLFA's proposed conditions in **Appendix B** ensures that these will be preserved by stating "*If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 11.1l/s for the 2 year, 29.1l/s for the 30 year, 40.3l/s for 1 in 100 year including multifunctional sustainable drainage systems*".

5.6 Section 7.10 of the Surface Water Hydraulic Modelling Report submitted for the outline planning application stated "*Comparison between the baseline and post-development model outputs during the 1% AEP plus 45% climate change event demonstrate the proposals are not predicted to have a detrimental impact on flood risk to third parties. The post-development scenario is predicted to result in a decrease in peak depths downstream of up to 11mm*".

5.7 With reference to the requirement for a staged discharge approach for the post-development site in Paragraph 2.1 above, the updated Surface Water Hydraulic Modelling Report in **Appendix C** now assumes the site will drain as it currently does (in terms of discharge rates for variable storm events) in the post-development situation; and the hydraulic model has been run for the 1, 2, 5, 10, 30, 100 and 100 year plus 45% allowance for climate change rainfall events, rather than just the 100 year plus 45% allowance for climate change rainfall event. As such, a full suite of rainfall events have been considered, including the "*higher frequency lower magnitude*" events, as requested.

- 5.8 With reference to Section 3.0 of the updated Surface Water Hydraulic Modelling Report in **Appendix C**, the ground level changes associated with the post-development proposals are considered to have a negligible impact on flood depths and flows within The Bogs during a range of storm events.
- 5.9 Lastly, with regards to the quality of the surface water to be discharged via the proposed SuDS drainage system, the FRA and Drainage Strategy submitted for the outline planning application provided evidence showing how the open SuDS may be constructed to provide sufficient pollution mitigation, and this has been approved by the LLFA.

6.0 Conclusions

6.1 This Technical Note (TN03) has been prepared to present further information about the FRA and Surface Water Drainage Strategy submitted for TDC planning application 2025/245, including an updated Surface Water Hydraulic Modelling Report to support the appeal.

6.2 The purpose of this statement has been to address TDC concerns with reference to reason 4 of the refusal of application 2025/245 in the Planning Decision in [Appendix B](#).

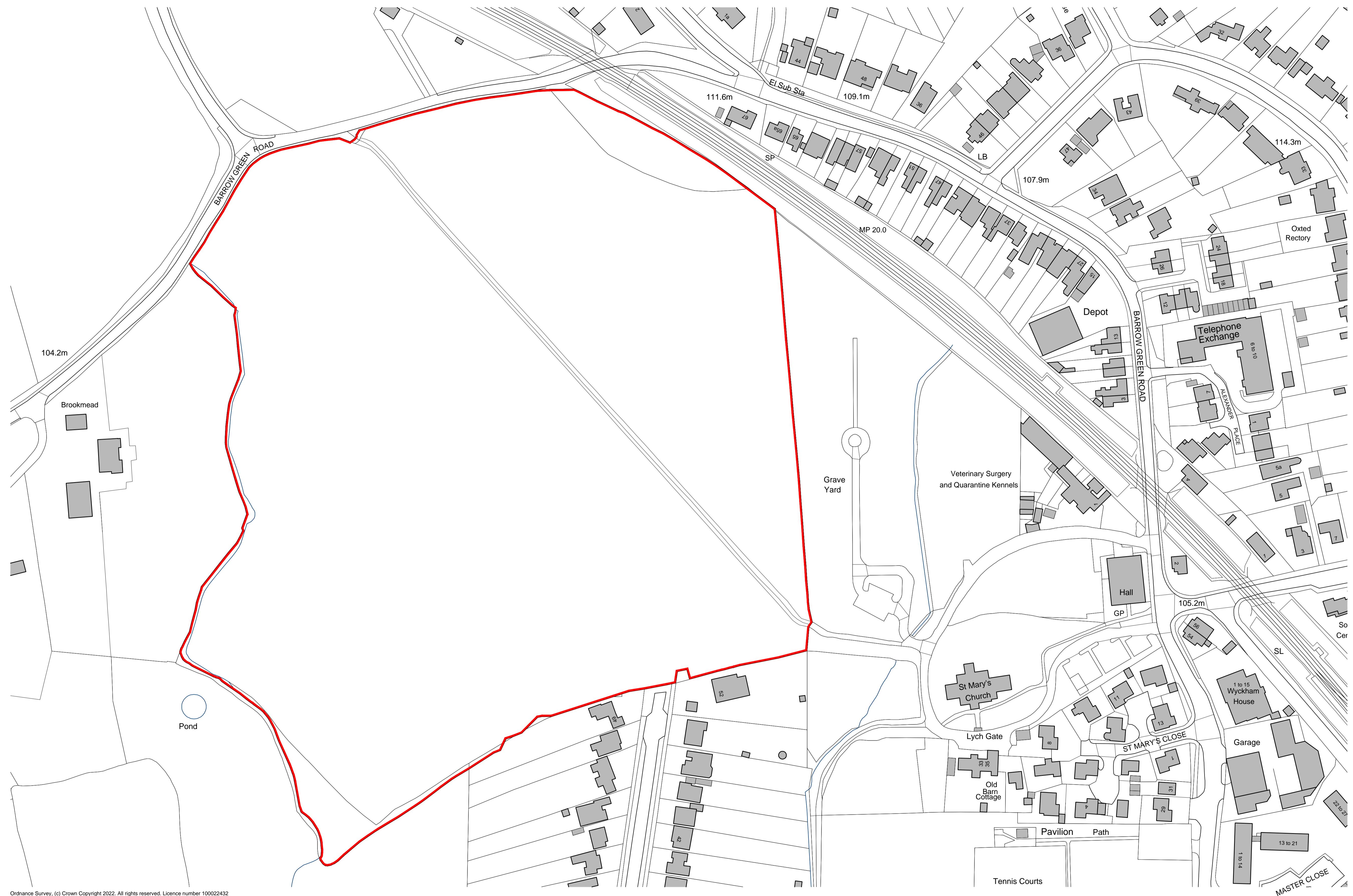
6.3 As this statement has explained in the previous sections:

- ▶ Surface water runoff maintaining The Bogs ancient woodland has been factored into the proposed surface water drainage strategy for the outline planning application, and assessed with reference to the Surface Water Hydraulic Modelling Report, which has been updated to include higher frequency lower magnitude rainfall events.
- ▶ The role that both surface and groundwater flowing from the site plays in sustaining the environment of The Bogs has been considered as part of the proposed surface water drainage strategy and development layout for the outline planning application, therefore monitoring in the Bogs ancient woodland is not required.
- ▶ Groundwater has been considered as part of the proposed surface water drainage strategy and development layout for the outline planning application, and the proposed capacities of the basins have been calculated to attenuate the increased rate of surface water runoff from the impermeable areas introduced as part of development during extreme rainfall events, rather than to retain surface water, therefore an annual pond water balance assessment is not required.
- ▶ Motion's submissions for TDC planning application 2025/245 did make an assessment of flow rates of water into The Bogs ancient woodland prior to and following development, and with reference to Section 3.0 of the updated Surface Water Hydraulic Modelling Report in [Appendix C](#), the ground level changes associated with the post-development proposals are considered to have a negligible impact on flood depths and flows within The Bogs during a range of storm events.

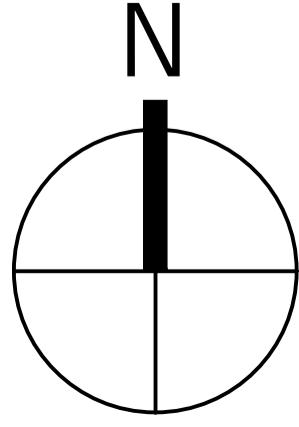
6.4 In conclusion, the outline drainage proposals have been demonstrated to meet the requirements of the Lead Local Flood Authority, National Planning Policy Framework (NPPF) and Tandridge Local Plan Part 2 and are entirely appropriate.

Appendix A

Location Plan and Proposed Site Layout Plan



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A horizontal scale bar with a black segment from 0 to 50 m and a white segment from 50 to 100 m, followed by a black segment from 100 to 200 m. The word 'SCALE' is written below the 0 m mark.

Client: Croudace Homes Group	Drawing Title: Location Plan	Project No'	Class	Dwg No'	Status	Rev
Project: Land South of Barrow Green Road, Oxted	Scale: 1:1000 @ A1	Revision A	Drawn RB	Check JH	Date 29.11.24	3129 A 1000 PL A
 Omega Architects The Front Barn, 124 Manor Road North, Thames Ditton, KT7 0BH T: 01372 470 313 W: www.omega-architects.co.uk		<small>CLASS: C - COLOURED A - BLACK & WHITE STATUS: SK - SKETCH, PR - PRELIMINARY, PL - PLANNING, WD - WORKING DRAWING</small>				



Appendix B

LLFA Consultation Letter Referenced LLFA-TA-25-0769RevA and Dated 04/08/2025, Officers Report, Surrey Wildlife Trust Consultation Letter Referenced 387531-001-RH and Dated 13/08/2025 and Planning Decision for Tandridge District Council Planning Application Number 2025/245

From: Laura Moyano <Laura.Moyano@surreycc.gov.uk>
Sent: 04 August 2025 13:45
To: Cliff Thurlow
Cc: Statutory
Subject: LLFA-TA-25-0769RevA - Land South Of Barrow Green Road, Oxted
Attachments: LLFA-TA-25-0769RevA Land South of Barrow Green Road.pdf

Our ref: LLFA-TA-25-0769RevA

Your ref: 2025/245

FAO Cliff Thurlow

Dear Cliff,

Please see attached our latest response regarding the above consultation, should you have any queries please do not hesitate to contact me.

Laura Moyano
Flood and Climate Resilience Specialist
Environment, Property and Growth

SuDS



SuDS for Surrey
Reducing flood risk, improving places

[Click for our guidance](#)

NO
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LEFT



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Case Officer: Laura Moyano
E-mail: SUDS@surreycc.gov.uk



Recommendation (mark one with X)

Further/amended information required	
No objection	
No objection – Subject to conditions	X
Objection	

Flood Risk, Planning, and
Consenting Team
Whitebeam Lodge
Merrow Lane
Guildford
Surrey
GU4 7BQ

Our ref: LLFA-TA-25-0769RevA
Your ref: 2025/245
Date: 04/08/2025

Dear Planning Authority,

Land South Of Barrow Green Road, Oxted

Thank you for consulting Surrey County Council (SCC) as the Lead Local Flood Authority (LLFA) on the above Outline Planning Application. We have reviewed the surface water drainage strategy for the proposed development and assessed it against the requirements of the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems.

As part of our statutory consultee role our advice relates to surface water flood risk and surface water drainage only, the Environment Agency should be contacted for advice in relation to fluvial flood risk.

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

Consultation request date: 19/06/2025

- Flood Risk Assessment and Drainage Strategy, February 2025, Rev C, Motion;
- Hydraulic Modelling Report, December 2024, REPORT REF. 2404420-ACE-XX-XX-RP-C-0501AA, ARDENT;
- Hydrological Sequential Test, January 2025, ENV-21564 Report 2 V0, rps group;

Re-consultation request date: 30/07/2025

- Technical Note 2: Resolving LLFA Objection, July 2025, Motion;

The applicant has provided sufficient information to address our previous comments.

We are satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and are content with the development proposed, subject to our advice below.

Our advice would be that, should planning permission be granted, suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development. Suggested conditions are below:

- 1) The development hereby permitted shall not commence until details of the final design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The final solution should follow the principles set out in the approved drainage

strategy. The design must satisfy the SuDS Hierarchy and be compliant with the national standards for sustainable drainage systems and the NPPF. The required drainage details shall include:

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels. Where infiltration is proposed confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
- b) Evidence that the receiving watercourse has onward connectivity and capacity to receive flows from the site.
- c) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+45%) storm events and 10% allowance for urban creep. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of **11.1l/s for the 2 year, 29.1l/s for the 30 year, 40.3l/s for 1in100 year including multifunctional sustainable drainage systems.**
- d) Detailed design drawings for all sustainable drainage elements including cross sections and detailed drainage layout plan including detailed levels and specification for the overland flow route corridor.
- e) An exceedance flow routing plan demonstrating no increase in surface water flood risk on or off site. The plan must include proposed levels and flow directions.
- f) Details of drainage management responsibilities and maintenance regimes for all drainage elements.
- g) Details of how surface water will be managed during construction including measures to protect on site and downstream systems prior to the final drainage system being operational. Including details of how existing watercourse on and adjacent to the site will be protected.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

- 2) Prior to the first occupation of the development, a verification report must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), confirming any defects have been rectified. Provide the details of any management company. Provide an 'As-Built' drainage layout and state the national grid reference of key drainage elements.

Reason: To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS.

Informative

If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent.

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

Sub ground structures should be designed so they do not have an adverse effect on groundwater.

If there are any further queries please contact the Flood Risk, Planning, and Consenting Team via SUDS@surreycc.gov.uk. Please use our reference number in any future correspondence.

Yours faithfully

Laura Moyano
Flood Risk & Climate Resilience Specialist

For the Flood Risk, Planning, and Consenting Team

Application: 2025/245

Location: **Land South of Barrow Green Road, Oxted**

Proposal: **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.**

Ward: **Oxted North**

Constraints - Green Belt; Setting of the National Landscape; Proposed National Landscape; Ancient Woodland(s); Ancient Woodland(s) within 500m; Areas of Special Advertising Consent; Biggin Hill Safeguarding; Risk of Flooding from Surface Water - 30; Risk of Flooding from Surface Water - 100; Risk of Flooding from Surface Water - 1000; Tree Preservation Order(s) within 10m; Potential Sites Nature Conservation Interest area(s); Railway Line(s) within 30m; Public Right of Way; Source Protection Zone 3.

RECOMMENDATION:

REFUSE

Summary

1. The site is located within the Green Belt and the application has been assessed in accordance with relevant policies relating to protection of the Green Belt. The proposal would result in inappropriate development, which is by definition, harmful to the Green Belt. Further harm would arise from the introduction of development into open countryside assessed to be a valued landscape. The application site is also in the setting of the Surrey Hills National Landscape and would have an adverse impact on the designated area and, additionally, is a proposed extension to the National Landscape and that proposal would be put at risk by this development. Ancient woodland, an irreplaceable habitat, lies in the southwest corner of the application site and it has not been demonstrated that this would not be adversely impacted by the proposed development. There is also a lack of information within the application to demonstrate that there would be no wider harm to biodiversity. The proposed development is in the setting of designated heritage assets, Grade I listed St Mary's Church and Grade II listed Court Farm House, and it would cause less than substantial harm to their setting which is not outweighed by the public benefits of the development proposals. The application site is 9.7 hectares of best and most versatile agricultural land, and the development would result in a significant loss of this agricultural resource. There would also be significant adverse harm to the enjoyment of public bridleway 97 which runs diagonally across the site and is an important recreational area.
2. Overall, and notwithstanding the claimed benefits of the scheme taken together, it is considered that the benefits do not "clearly outweigh" the Green Belt and other harm. The applicant has not demonstrated 'very special

Application 2022/1161; Application 2022/1658; Application 2022/267; Application 2022/1523; Application 2024/1389; Application 2024/ 1393.

circumstances' to justify inappropriate development in the Green Belt for the purposes of paragraph 153 of the NPPF.

3. The development proposals are consequently contrary to policies of the NPPF and policies of the Tandridge District Core Strategy 2008 and the Tandridge Local Plan: Part 2 - Detailed Policies 2014 and policies of the Surrey Hills Management Plan 2020-2025.
4. The application is therefore recommended for refusal.

Site Description

5. The application site is a roughly square parcel of land with an area of 9.7 hectares (ha) or 24 acres situated to the northwest of the built-up area of Oxted town. The site is predominantly agricultural land with a small area of woodland in the southwest corner. There is a gentle but perceptible fall across the site from northeast to southwest.
6. To the north, the site is bounded by a discontinuous hedgerow on the southern side of Barrow Green Road. The Oxted to London railway line borders the northeast corner of the site. On its eastern boundary is the Oxted Parish cemetery. Southeast of the site is a small area of woodland bordering Court Farm Lane, and through which runs a public bridleway which crosses the site diagonally southeast to northwest where it links to Barrow Green Road. The southern boundary of the site is a narrow belt of trees beyond which is residential development in Wheeler Avenue, Oxted, and an area of woodland. The western boundary is along a stream which runs north to south through a narrow belt of fringing woodland and then into the woodland within and beyond the southwest corner of the site. Surface water from the application site drains to this stream.
7. In a wider context, although the site borders the built-up area of Oxted to the south and there is residential development beyond the railway embankment to the northeast, both areas of urban development are visually contained by trees and woodland. The character of the application site remains rural.
8. Other important features of note are:
 - The close proximity to designated heritage assets, namely St Mary's Church a Grade I listed building which is a short distance away from the southeast boundary of the site, Court Farm House a Grade II listed building again a short distance away to the south east of the site and Blunt House a Grade II listed building to the west of the site.
 - The woodland known as The Bogs to the southwest, part of which is within the site, and which is ancient woodland and is a Potential Site of Nature Conservation Interest.
 - The public bridleway that crosses the site which connects southwards to Master Park which is a significant open space close to the centre of Oxted town; and
 - The field is Grade 3(a) best and most versatile agricultural land (BMV).

Previous Planning History

9. Previous planning applications relating to development of the site are:
 - GOR/449/73: residential development of 22 acres of land.

Application 2022/1161; Application 2022/1658; Application 2022/267; Application 2022/1523; Application 2024/1389; Application 2024/ 1393.

- 2024/596/EIA: request for EIA Scoping Opinion for the development of 140 dwellings and 80-unit care home, with associated access, parking, and landscaping.

Key Issues

10. The key planning issues to be considered in the determination of this planning application are:

- i) Housing land supply (that is market housing, affordable housing and extra care housing) and the weight that should be afforded to this in the planning balance in the determination of this application.
- ii) Whether the application site is Green Belt or Grey Belt, given the changes to the National Planning Policy Framework, 2024 (NPPF) and subsequent changes to Planning Practice Guidance, and if Green Belt or Grey Belt, the implications for the determination of this application.
- iii) Whether the site is a valued landscape to be protected and enhanced in accordance with paragraph 187 (a) of the NPPF.
- iv) Whether the proposed development in the setting of the Surrey Hills National Landscape is sensitively located and designed to avoid or minimise adverse impacts on the designated area in accordance with paragraph 189 of the NPPF.
- v) The weight to be given as a material consideration to the proposed inclusion of the appeal site in an extension to the Surrey Hills National Landscape.
- vi) The implications of the proposed development for biodiversity, including The Bogs Potential Site of Nature Conservation Interest (pSNCI) and ancient woodland.
- vii) Whether the Biodiversity Net Gain proposals within the application can adequately offset any harm to biodiversity arising from the proposed development.
- viii) The impact (if any) of the proposed development on the significance of nearby listed buildings.
- ix) The implications for the development of surface water flood risk to which the site is subject.
- x) Whether an adequate foul drainage connection can be provided for the proposed development.
- xi) Whether the site is best and most versatile agricultural land and the planning implications if so, given the provisions of paragraph 187 b) and footnote 65 of the NPPF.
- xii) The implication of the proposed development for the continued use and enjoyment of Public Bridleway 97 crossing the site as a material consideration.
- xiii) The impact of the proposed development on the character and appearance of the local area and the amenities of local residents.
- xiv) Whether the proposed development has implications for highway safety.
- xv) Whether the proposed development is sustainable; and
- xvi) Conclusions and planning balance.

Proposal

11. The applicant, Croudace Homes Ltd (the 'Applicant'), is seeking outline planning permission for a residential development of:

- Up to 190 dwellings (Use Class C3) including 50% affordable housing.
- An extra care facility with up to 80 beds (Use Class C2).

- Formation of vehicular access, landscaping, parking, open space, green and blue infrastructure, and all other associated development works.
- All matters are reserved for subsequent approval, except access. This means that information contained within the application relating to appearance of the development, scale and landscaping is illustrative and provided for information only and may vary from the details provided, although the applicant has provided a Land Use Parameter plan of the distribution of land uses across the site. This parameter plan is not illustrative.

12. For the purpose of determining the application, the applicant's Planning and Affordable Housing Statement at paragraph 4.4 states that the Proposed Development is set out on the following plans (to be approved as part of the application):

- i) Location Plan No.3129-A-1000-PL-A.
- ii) Land Use Parameter Plan No.3129-A-1200-PL-D.
- iii) Site Access Barrow Green Road Drawing 107491 PEF XX XX D H 0300 Rev P01 (in Appendix C to Transport Assessment).
- iv) Site Access Wheeler Avenue Drawing 107491-PEF-XX-XX-DR-H-0200 Rev P01 (in Appendix C to Transport Assessment)
- v) Refuse Access Barrow Green Road Drawing 107491 PEF XX XX D H 0300 Rev P01 (in Appendix C to Transport Assessment).

Then at paragraph 4.6 of the Statement, supporting plans submitted for information purposes only, comprise the following:

- i) Illustrative Masterplan No.3129-C-1005-PL-A.
- ii) Illustrative Masterplan in Context No.3129-C-1006-PL-B.
- iii) Illustrative Landscape Strategy Plan No.6514_100_A.

It should be noted that the Illustrative Masterplan in Context No.3129-C-1006-PL-B drawing is titled Site Layout in Context with the same drawing number.

13. In addition to the application documents, it was determined prior to the submission of the application that the proposed development was "EIA development". This assessment was made by Tandridge District Council ('the Council') in accordance with the Town and Country Planning (Environmental Assessment Impact) Regulations, 2017, following a screening request on behalf of the Applicant. Accordingly, the application is accompanied by an Environmental Statement (ES).

14. The application provides for two points of vehicular access, one on the northern boundary of the site and one on the southern boundary of the site. The northern point of access is to be constructed on Barrow Green Road, a single carriageway rural road, and this is proposed to be the main vehicular access. The southern point of access is to be constructed at the northernmost point of Wheeler Avenue, across highway land which is currently covered in trees and bushes. Wheeler Avenue is also a single carriageway road providing access to housing along its length and houses in Peter Avenue.

15. In addition to these two points of vehicular access, the public bridleway that crosses the site provides access for pedestrians and horse riders between Barrow Green Road in the north and Court Farm Lane and St Mary's Church to the southeast. There are visible signs on the ground that this is a very well-

used public right of way (PRoW). The Applicant proposes that the PRoW forms the spine of the proposed residential development with a nodal vehicle crossing point and improved surfacing and low-level lighting on the southern section.

16. The Design and Access Statement (DAS) forming part of the supporting documents with the application states that the Illustrative Masterplan evolved from detailed analysis of the site's character, opportunities and constraints. Essentially, the proposed development consists of three residential areas, one occupying the eastern part of the site and including the proposed extra care facility, one occupying the southern part of the site, and one occupying the centre and northern part of the site. The eastern and northern residential areas take vehicular access exclusively from Barrow Green Road. The southern residential area takes vehicular access exclusively from Wheeler Avenue.

17. This is an outline application with all matters reserved except access. Each of the residential areas is separated from each other by what is shown on the Land Use Parameter Plan as areas of green infrastructure that incorporate landscape and ecological enhancements. The green infrastructure includes a corridor, along the existing PRoW, flanked on each side by housing with built frontage facing onto the PRoW, heightened scale and density along the central PRoW route and with a nodal vehicular crossing point on the PRoW as set out in Section 3.3 of the DAS. There is a narrow fringing belt of green infrastructure illustrated along part of the northern boundary and eastern and southern boundaries of the site. A wider belt of green infrastructure runs around the remaining part of the northern boundary and western boundary of the site and includes a footpath linking the northern and southern housing development areas, a locally equipped area of play (LEAP), surface water holding basins and swales. A central, landscaped open space is illustrated separating the northern and southern residential areas and will include informal areas of open space and footpath links to the development.

A nodal

18. The design principles set out in the DAS are accompanied by a 'Design Commitment Statement' which is intended to establish a set of core design principles to guide the scheme design at reserved matters stage.

19. The proposed land uses within the development can be summarised as:

- Land for Housing approximately 5.4ha.
- Land for 80-bed Care Home approximately 0.6ha.
- Green Infrastructure (landscape amenity green space, including SuDs) approximately 3.7ha.

Total Site area approximately 9.7ha.

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

20. The Planning and Affordable Housing Statement accompanying the application lists the technical reports submitted in support of the application. Some of these are standalone reports and others (such as Landscape and Visual Impact) take the form of a technical chapter within the Environmental Statement (ES), as set out below:

Standalone Reports:

Application 2022/1161; Application 2022/1658; Application 2022/267; Application 2022/1523; Application 2024/1389; Application 2024/ 1393.

- *Planning and Affordable Housing Statement (Woolf Bond).*
- *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).*
- *Agricultural Land Classification and Considerations (Kernon Countryside Consultants Ltd).*
- *Archaeological Desk Based Assessment.*
- *Energy Strategy (Energist UK).*
- *Arboriculture Impact Assessment (Barton Hyett Associates).*
- *Older Persons Needs Assessment (Tetlow King).*

Environmental Statement:

- *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 - Socioeconomics*
 - *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*

Development Plan Policy:

The policies to be considered in the determination of this planning application are:

Tandridge District Core Strategy 2008 - Policies CSP1, CSP2, CSP3, CSP4, CSP7, CSP8, CSP9, CSP11, CSP12, CSP13, CSP14, CSP15, CSP17, CSP18, CSP20 and CSP21 and Tandridge Local Plan Part 2 - Detailed Policies 2014 - Policies DP1, DP5, DP7, DP10, DP13, DP19 and DP20.

Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs) and Non-statutory Guidance:

- Tandridge Parking Standards SPD (2012).

Application 2022/1161; Application 2022/1658; Application 2022/267; Application 2022/1523; Application 2024/1389; Application 2024/ 1393.

- Tandridge Trees and Soft Landscaping SPD (2017).
- Surrey Design Guide (2002).

National Policy and Guidance and other Material Considerations:

- National Planning Policy Framework (NPPF) (December 2024).
- Planning Practice Guidance (PPG).
- Advice on the role of the Green Belt in the planning system (MHCLG February 2025).
- National Design Guide (2019).
- Guidance for relevant authorities in seeking to further the purposes of Protected Landscapes (DEFRA, December 2024).
- 'Ancient woodland, ancient trees and veteran trees: protecting them from development'; Forestry Commission and Natural England standing advice.
- Surrey Hills AONB Management Plan 2020-2025.
- Landscape Institute Technical Guidance Note 02/21: Assessing Landscape Value a Technical Guidance Note (May 2021).

Statutory Consultation Responses:

- Oxted Parish Council: object to the application in a very detailed 52 page representation, edited extracts of which are as follows:

"The proposal would cause irrevocable harm to a valued landscape, to the setting of the Surrey Hills National Landscape and to the National Landscape itself. It constitutes inappropriate development in the Green Belt for which VSC that clearly outweigh the harm by way of inappropriateness and any other harms have not been demonstrated. As explained later, whether taken individually or collectively, there are insufficient VSC to clearly outweigh the very substantial harms to the Green Belt, to the setting of the Surrey Hills National Landscape, to the existing National Landscape, to land that Natural England have identified site for inclusion in the extended boundary of the National Landscape, together with numerous other planning harms.

We have taken expert evidence from Landscape Architect, Louise Hooper, who has concluded that Stoney Field qualifies as a valued landscape for the purposes of NPPF paragraph 187a) and that it strongly contributes to the landscape and scenic beauty of the Surrey Hills National Landscape. As well as taking expert advice, we have studied the guidance for defining a valued landscape and considered the site itself and its qualities, together with their relationship with and the role they play within the site's context.

There would be significant harm to biodiversity and loss of irreplaceable priority habitat. There would be adverse impacts on the hydrology of the adjacent pSNCI "The Bogs" which is ancient wet woodland, particularly rare in Surrey. The Bogs is sustained by the water running off the North Downs via Stoney Field. There is a complex, multi-faceted relationship between Stoney Field and The Bogs and The Bogs is understood to depend on surface water drainage from the site to maintain its biodiversity value. We have taken expert advice from Hydro-GIS, specialists in hydrology and flood risk which has informed both section 5 of our letter which deals with the effect

on *The Bogs* and section 6 which deals with high surface water flood risk and high ground water flood risk.

Part of The Bogs ancient wet woodland is within the site as shown in various of the applicant's documents: The Arboricultural Impact Assessment confirms at paragraph 4.4 "The feature W2 is designated as Ancient Semi-Natural Woodland (ASNW)." Photograph 5 on page 26 of the Preliminary Ecology Appraisal entitled "Wet woodland in the south of the site (May 2022)" shows Ancient Wet Woodland that is part of The Bogs.

There would also be harm to The Bogs arising from the close proximity of a large housing development and associated disturbance, pollution and recreational and other pressures, where previously there was no development and where there has been minimal human interference. The applicant has given no details of how the ancient woodland both inside and outside of the site would be protected, which is wholly inappropriate given that The Bogs is a high sensitivity receptor and a large area of irreplaceable priority habitat.

NPPF paragraph 193c) provides protection for Ancient Woodland and paragraph 195 removes the presumption in favour of sustainable development where development would significantly affect a habitats site.

Loss of agricultural land: Paragraph 187(b) of the NPPF requires a recognition of the economic and other benefits of the best and most versatile agricultural land (BMV). This large field has been in agricultural arable use for centuries and the whole of it is Grade 3a BMV, as shown in the applicant's Agricultural Land Classification and Considerations document which was submitted in July 2025 as a requirement of the Council. This is in contrast to the Planning and Affordable Housing Statement which accompanied the original application which stated: "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.'" The field is high quality where crops such as wheat do well as evidenced by this year's flourishing barley crop.....

Loss of a well-used and much valued open and recreational space: The field has significant community value and provides access to the open countryside for local residents, particularly young families, from the nearby housing area and is itself very widely used for recreational purposes. Many residents use it for walks and it was a much needed, open and safe space to enjoy during the Covid restrictions, helping to preserve mental health, aid recuperation and relieve stress which it continues to do to this day.

Major adverse effect on public Bridleway 97/Right of Way which is well used by horse riders and others for recreational activities including walking, running, dog walking and cycling: The proposal is in conflict with paragraph 156(c) of the NPPF because it seeks to remove an existing, high quality green space that is accessible to the public and within a short walk of many residents' homes.

Paths around and across the field have been used for many years by residents and visitors walking locally or to access the National Landscape. Three of the paths around the field are currently the subject of a rights of

way application submitted to Surrey County Council for consideration in December 2022 with usage evidence forms from more than 100 residents.

There is harm to heritage assets, in particular to the setting of St Mary's Church, a Grade 1 listed building and heritage asset. Stoney Field adjoins the burial ground and forms part of the church's setting. The church is set on elevated ground and is part of the historic core of Oxted. It has a broad 12th century tower which is a local landmark. The field and the church are also linked by Bridleway 97 and the field forms part of the church's wider rural setting. There would be major adverse effects on the setting of the church and for visitors to the church. There would also be major adverse effects on visitors to the burial ground both in visual terms and through loss of tranquillity.

There is harm from adverse impact on highway safety and highway visibility. Access to the site (either via Barrow Green Road, a narrow country lane or the residential road Wheeler Avenue) is unsuitable and neither could safely accommodate the proposed development. There would be harmful effects on road safety, pedestrian/horse riders/cyclists fear and intimidation, and driver delay. The proposed alterations to the Bridleway and its use as the central route through the site with heightened scale and density along it and vehicle crossings, create safety issues for all users including horseriders, cyclists, motorists and pedestrians.

There would be harm arising due to inadequate capacity within the foul sewerage network (confirmed at paragraph 8.9.6 of the applicant's EIA scoping report) and inadequate surface water drainage. Existing problems would be exacerbated. Insufficient and, in some instances, incorrect information has been provided by the applicant regarding these issues.

The proposal would also exacerbate existing problems with other infrastructure in Oxted such as the already struggling health service which is under extreme pressure.

There would be harm to the amenities of existing nearby residential dwellings in various locations including but not limited to significant effects on visual receptors, air quality, noise and traffic pollution.

Therefore, we conclude that the proposal is contrary to Core Strategy Policies: CSP11, CSP13, CSP17, CSP18, CSP20, CSP21 and Tandridge Local Plan Policies: DP1, DP5, DP7, DP10, DP13, DP18, DP19, DP20, DP21, DP22 and the NPPF (December 2024).

Applications for planning permission must be determined in accordance with the statutory development plan unless material considerations indicate otherwise. The starting point, therefore, is that permission should be refused unless material considerations indicate otherwise. We find no material considerations that would override the adopted development plan.”

- County Highway Authority: no objection subject to conditions and the applicant agreeing to fund the extension of the 30 MPH speed limit on Barrow Green Road requiring a Traffic Regulation Order and signage. Should the TRO process be unsuccessful as a result of the public consultation process required to deliver it, then the CHA would require the applicant to instead provide some suitable and proportionate physical

measures in the highway to ensure that vehicle speeds are kept low in the proximity of the proposed access junction. The final version of any such scheme would be determined as part of a Section 278 Agreement process with the CHA.

- Surrey County Council, Historic Environment Planning: Archaeology: considers that further archaeological investigation work is required which can be secured through a planning condition.
- Surrey County Council, Historic Environment Planning: Historic Buildings: objects to the application because of harm to the setting of Court Farm House (Grade II) and the Church of St Mary the Virgin (Grade I) as set out in more detail in paragraphs 98 to 102 below.
- Surrey County Council, Public Rights of Way: comments that the applicant should be informed:
 - Consideration should be given to a diversion of the current exit point of Bridleway 97 to Barrow Green Road to bring the route closer to the junction with Chalk Pit Lane
 - The applicant should be made aware an application for a claimed public footpath around the perimeter of 'Stoney Field' to be added to the Definitive Map & Statement was submitted in 2023 and can be viewed at the register of definitive map modification order applications - Surrey County Council (surreycc.gov.uk); the reference number is CP612
- Designing Out Crime Officer, Surrey Police: seeks a planning condition stating "The development shall achieve standards contained within the Secure by Design award scheme to be successfully granted the award."
- Environment Agency: have assessed this application as having a low environmental risk and therefore have no comments to make.
- Lead Local Flood Authority – no objection subject to the imposition of conditions on any planning permission granted .
- Surrey Hills National Landscape Management Board:

"In balancing the different relevant planning considerations, the Planning Authority is asked to give substantial or even great weight to the proposed development spoiling the setting of the Surrey Hills National Landscape by harming important public views into it. The current Surrey Hills AONB Management Plan Policy P6, which is a material planning consideration, resists development that would spoil the setting of the AONB/National Landscape.

Further, the Planning Authority will need to be confident that if they were to grant permission that other relevant planning considerations outweighed the Council's duty under the Levelling-Up and Regeneration Act 2023, that it must seek to further the purpose of conserving and enhancing the natural beauty of the National Landscape which includes its setting. That may be difficult. Lastly, some significant weight should be given to Natural England and its experienced landscape advisers considering that the site meets NE's

criteria of natural beauty and desirability for National Landscape designation in its proposals for extending the Surrey Hills National Landscape.“

Collectively, the above would justify a landscape reason for refusal.”

- Natural England: as submitted, the application could have potential significant effects on Surrey Hills National Landscape. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. A revised landscape masterplan is required to address our concerns together with addressing LURA duties, the site layout and open space provision. Without this information, Natural England may need to object to the proposal. Natural England also advise that great weight should be given to the views of the Surrey Hills AONB Management Board about this application.
- Network Rail: due to the close proximity of the proposed development to Network Rail's land and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing. This will allow the ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway. In addition, Network Rail and GTR are keen to seek funding to be used towards Oxted Station, the station could do with a few extra improvements, and we would be seeking to secure this funding from the applicant / developer. These improvements include:
 - Improvements to the cycle parking, in particular new cycle parking outside the secondary entrance, and enhancements to the current cycle parking provision outside the main entrance.
 - Enhancements and internal layout changes to the ticket hall.
 - Enhancements to the waiting shelters on the platforms.There are also some further enhancements that could be performed within the station which may benefit the users of the proposed development.
- London Biggin Hill Airport: no response received.
- Active Travel Planning England: standing advice issued and would encourage the local planning authority to consider this as part of its assessment of the application.

Non-Statutory Comments / Advice Received or Considered:

- Surrey Wildlife Trust: comments that the ecological information with the application is insufficient to enable a full assessment of the ecological impacts of the proposed development, as follows:
 - based upon the boundaries and extent of the pSNCI, 'The Bogs' is located within the application site. The Preliminary Ecological Appraisal (Ecology Partnership, December 2024), the Environmental Statement Volume 2 – Chapter 10: Ecology and the overall proposal submission is therefore not based upon the proposed boundary of 'The Bogs' pSNCI.Therefore the Preliminary Ecological Appraisal (Ecology Partnership, December 2024), the Environmental Statement Volume 2 – Chapter 10: Ecology (and the arboricultural submission) has not assessed the proposal against the full extent of the pSNCI.

- the Environmental Statement Volume 2 – Chapter 10: Ecology, and Preliminary Ecological Appraisal (Ecology Partnership, December 2024) do not demonstrate a full assessment of the potential impacts upon 'The Bogs' pSNCI (to include the ancient wet woodland) and the priority wet woodland.
- we would conclude that there is insufficient evidence for us to confirm that the proposed development will not have an adverse effect upon 'The Bogs' pSNCI, the ancient & semi natural (wet) woodland and the priority wet woodland.
- in overall review we are not satisfied with the overall evidence submitted that discounts the presence of ancient & semi-natural woodland within the red line boundary.
- we conclude that there is insufficient consideration for ground nesting birds, such as skylark in the application submission.
- there is no evidence submitted that the bird assemblage would be of low environmental value/sensitivity, as the baseline bird assemblage of the application site is unknown.
- the impact that cat predation (and any other impact) would have upon priority species of bird is unknown and is not evidenced in any of the ecological submissions.
- in the absence of any assessment for invertebrates, we have insufficient information on the species group to review the application.
- it is unclear where the assessment of 'woody' species has been provided to show evidence that it is species-poor, as opposed to species-rich. If species-rich, for example, then the biodiversity net gain assessment would need to be updated accordingly.
- it is unclear where the Important Hedgerow assessment has been reported.
- it is unclear where the assessment of 'woody' species has been provided to show evidence that it is species-poor, as opposed to species-rich. If species-rich, for example, then the biodiversity net gain assessment would need to be updated accordingly. It is unclear where the Important Hedgerow assessment has been reported.
- the Applicant has failed to provide a draft Habitat Management and Monitoring Plan. The rationale for this is not clear. However, if the application is granted, then the applicant will be required to submit a Habitat Management and Monitoring Plan, in line with a Biodiversity Gain Plan.

- Localities Team: no comments received as yet
- Surrey Police: in the absence of developer contributions towards the provision of essential policing infrastructure, Surrey Police would raise **objection**, as the additional strain placed on resources would have a negative impact on policing of both the development and force-wide policing implications within the district. Costs of additional policing infrastructure resulting from the development would be a total of £84,674.48, made up of extra officers/support staff, accommodation for 2.65 additional police officers, vehicles and additional ANPR cameras in Oxted.

Public Representations / Comments:

- A total of 318 individual or joint third-party representations have been received (on 15 August 2025) about the application:

Application 2022/1161; Application 2022/1658; Application 2022/267; Application 2022/1523; Application 2024/1389; Application 2024/ 1393.

- ❖ Four third party representation have been received (on 22 July 2025) supporting the application for the following reasons:
 - Shortage of affordable housing in Oxted both to purchase and to rent
 - Development may assist in reducing the disproportionately high cost of houses in Oxted
 - Boost to the economy of the town centre which is failing
 - Development will bring families back together and bring life back to Oxted
- ❖ The remaining representations object to the application for the following reasons:
 - Site is Green Belt and protected from inappropriate development such as proposed
 - No very special circumstances have been advanced that justify the proposed development
 - Adverse impact on the setting of the nationally protected Surrey Hills National Landscape
 - Impressive views towards the National Landscape will be lost
 - Site is proposed as an extension to the National Landscape which evidences its scenic beauty
 - Adverse impact through loss of open countryside by way of encroachment of urban sprawl
 - Loss of linked habitats and wildlife the site supports such as dormice, red deer, red kites and hares
 - Potential for adverse impact due to changes in the drainage regime, recreational pressures and pollution on The Bogs as ancient woodland
 - To grant planning permission would be an abrogation of the Council's statutory duty to protect the National Landscape and its wider duty to protect the countryside
 - Permanent adverse impact on the setting of the Grade I listed Church of St Mary the Virgin
 - Adverse impacts on the ambience and countryside experience afforded by Public Bridleway 97 which is well-used all seasons of the year
 - Loss of a valuable recreational resource close to the Oxted urban area and its wildlife interest
 - Loss of a valuable informal recreation resource given the network of informal paths around the site
 - Site is accessible and important to the health and well-being of many people in Oxted
 - Loss of good quality agricultural land which is an economic resource in its own right
 - Site is not well-located in terms of access to Oxted town centre for residents of the prosed development
 - Barrow Green Road is already a dangerous road, particularly for runners, cyclists and horse riders
 - Proposed access to the site from Barrow Green Road, which is a rural road, is dangerous
 - Proposed access from Wheeler Avenue which is quiet cul-de-sac will be detrimental to the amenities of existing local residents along that road
 - Unacceptable impacts on local services and infrastructure which are already struggling, including health services and sewage capacity

- The development will bring pollution, noise and wider highway dangers for existing local residents
- Some recently completed housing developments in Oxted remain unsold and unoccupied.
- The fact that the Council cannot show a 5-year housing land supply does not justify this housing development which causes so much other harm.
- Surrey Countryside Access Forum (SCAF): object because the field (Stoney Field) under consideration has a Bridleway crossing it diagonally (BW97). This is much used by equestrians, walkers and cyclists. It is a pleasant rural path, with direct communication and forming the opportunity of a circular route. The ambiance and character of this path / route, which is used by many, would be completely ruined if it ended up inside and dominated by a housing estate. Concurrently, the surrounding countryside would also be completely ruined with adverse impacts on the environment, wildlife etc etc; all of which contribute to the interest of this PRoW.
- Ramblers Association: object because of adverse impact on Green Belt, existing National Landscape, proposed National Landscape extension and the recreational resource provided by Bridleway 97.
- Limpsfield Parish Council: objects - at the outset, it is acknowledged that across Tandridge district as a whole, there is an issue relating to the supply of land for housing. This is an important issue which, in our view, will not and cannot be successfully resolved through the grant of planning permission for housing on land where development would otherwise be unacceptable. In our view, the only acceptable way forward is through the preparation of the new Local Plan, through a coordinated strategic approach, which ensures that new housing development adds to, rather than detracts from, the character and sustainability of the local community. Specific objection raised to the adverse impact the proposed development would have on the Green Belt, National Landscape and local services and infrastructure.
- Nature Spaces: we are satisfied with the ecological information submitted and recommend that with their implementation of some reasonable avoidance measures, the risks onto great crested newts and/or their habitats can be reduced to a minimum.

Assessment:

Procedural Note:

21. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require decisions to be taken in accordance with the development plan, unless there are material considerations that indicate otherwise. The development plan comprises the Tandridge District Core Strategy (2008) and the Tandridge District Part 2 : Detailed Policies (2014).
22. Those development plan policies considered most important in the determination of this application are:

Core Strategy policies: CSP1, CSP2, CSP8, CSP11, CSP12, CSP13, CSP14, CSP17, CSP18, CSP20 and CSP21.

Part 2: Detailed Policies: DP1, DP5, DP7, DP10, DP19, DP20 and DP21.

23. The NPPF is a material consideration in planning decisions and its policies have to be taken into account in dealing with applications from the day of its publication.
24. It is important to note that even though the adopted Development Plan predates the publication of the most recent NPPF, its policies will be given due weight in accordance with their degree of consistency with the NPPF (December 2024, paragraph 232).
25. Part of the assessment of key issues below is to ascribe a weight to them for the purposes of arriving at a planning balance and decision whether to grant or refuse planning permission. In undertaking this balancing exercise, the weight afforded to each planning consideration by your officers will be, from highest to lowest:
 - Great
 - Substantial
 - Significant
 - Moderate
 - Limited
 - Negligible
 - Neutral

The applicant's Planning and Affordable Housing Statement uses similar weightings.

Key Issue 1 - Housing Land Supply:

26. The NPPF at paragraph 78 sets out a requirement for local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their local housing need where strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer of 20% where there has been significant under delivery of housing over the previous three years to improve the prospect of achieving the planned supply. Footnote 39 of the NPPF provides that where local housing need is used as the basis for assessing whether a supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance.
27. The Tandridge Core Strategy housing delivery policy (CSP2) is more than five years old. Five-year housing need assessed against the standard method, together with the required 20% buffer, gives a requirement of 4,964 dwellings, or 993 per annum, including a 20% buffer. Current housing land supply in Tandridge district is 1.71 years.

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

Application 2022/1161; Application 2022/1658; Application 2022/267; Application 2022/1523; Application 2024/1389; Application 2024/ 1393.

- a. Application 2022/1161, May 2023: Young Epilepsy, St Piers Lane, Lingfield - provision of a residential care community (Use Class C2) comprising 152 units of accommodation.
- b. Application 2022/1658, December 2023: Plough Road, Smallfield - for 120 dwellings including 40% affordable housing and flood relief engineering works.
- c. Application 2022/267, December 2023: Former Shelton Sports Club, Warlingham - for 150 dwellings including 45% affordable housing.
- d. Application 2022/1523, September 2024: Land at Former Godstone Quarry - for 140 dwellings including 50% affordable housing and a new GP surgery.
- e. Application 2024/1389, July 2025: Redehall Road, Smallfield - for 85 dwellings including 40% affordable housing.
- f. Application 2024/1393, July 2025: 1 Park Lane, Warlingham - for 45 dwellings including 49% affordable housing.

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

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

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

- APP/M3645/W/23/3319149: Station Road, Lingfield.

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

- APP/M3645/W/24/3345915: Chichele Road, Oxted.

The Inspector referenced the IPSHD in paragraph 9 of her decision letter: *"..I note that the appeal site was not brought forward as a proposed housing allocation in the submitted eLP and thus does not meet the criteria for inclusion within the IPSHD. I shall treat the IPSHD as a material consideration for this appeal, particularly as a mechanism used by the Council to address its housing need. However, as it does not form part of the development plan, this limits the weight which can be afforded to this document."*

In the determination of both of these appeals the IPSHD was found to be a material consideration.

32. The development proposal does not meet any of fit the criteria in the IPSHD, which are:

Application 2022/1161; Application 2022/1658; Application 2022/267; Application 2022/1523; Application 2024/1389; Application 2024/ 1393.

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

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

The development proposal conflicts with the IPSHD which states that the primacy of the protection of “.....candidate areas for AONB status will be the key planning consideration in determining planning applications under this interim Policy.”

33. The applicant's 'Planning and Affordable Housing Statement' is inaccurate in stating that under the December 2024 standard method requirement plus 20% buffer, Tandridge District Council annual housing requirement is raised to 1,011 dwellings per annum and the Council has 1.45 years of housing land supply. As noted above, the Council's annualised figure for housing need is slightly lower at 993 dwellings per annum while its five-year supply figure is slightly higher at 1.71 years. Moreover, this Statement makes no reference to the IPSHD.
34. Your officers accept that, in the absence of a five year housing land supply, and notwithstanding the progress being made in housing delivery in Tandridge District through the adoption and implementation of the IPSHD, significant weight should be given to the proposal in this planning application for the delivery of market and affordable housing in the overall planning balance.
35. Core Strategy policy CSP8 relates to Extra Care Housing Provision, the other type of housing proposed for delivery in the planning application. This policy states:

“The Council will, through the allocation of sites and/or granting of planning consents, provide for the development of 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. In identifying sites and/or determining planning applications, regard will be had to:

The need for each site to accommodate at least 50 Extra Care Housing units; The Extra Care Housing Model in the East Surrey Extra Care Housing Strategy in respect of the provision of services and facilities (and any further guidance received from Surrey County Council); Sustainability – sites should be sustainable by virtue of their location and there will be a preference for sites within defined settlements, but where such sites are not available regard will be had to the potential for development to be self-contained to reduce travel requirements and the availability of public transport; The priority will be for the re-use of previously developed land, greenfield sites will only be acceptable following allocation in the LDF; and The potential to co-locate a nursing/residential care home on the site where there is an acknowledged need. The Council will also work with its partners, Surrey County Council, Reigate & Banstead Borough Council, Surrey Supporting People and the Primary Care Trust in identifying suitable sites and securing the provision of schemes. The Council will support suitable proposals notwithstanding that such developments may result in or exacerbate an excess of housing development against South East Plan requirements. “

This policy sought to establish both a quantum of development required and to provide criteria against which development proposals should be assessed. Your officers accept that with respect to quantum of need the policy is now out of date and that other indicators of need should be relied upon in determining planning applications. The criteria in the policy remain relevant.

36. The report “Older Persons Need Assessment” provided with the application documents makes an assessment of the local need for specialist care accommodation within Tandridge District in terms of both quantitative and qualitative need up to 2040 being 550 additional personal care beds and 104 nursing beds and 82 dementia beds, with significant demand in the period 2023 to 2027.
37. Recent information from Surrey County Council made available to the Council with respect to another planning application (Lingfield House, application reference TA/2024/1079) is:

“As of January 2024, Tandridge had 328 residential care home beds, with a projected need of 436 by 2035 - indicating a shortfall of 66 beds. Similarly, the demand for nursing care home beds is also expected to increase, leading to an additional shortfall by 2035. These figures highlight a sustained need for more residential and nursing care home beds in the area. However, as highlighted in the Older People Residential and Nursing Care - Market Positioning Statement, there is further emphasises on the growing demand for complex care in Surrey due to an aging population and rising cases of advanced dementia, physical frailty, and multimorbidity.

Addressing this need requires not only specialised care home development but also experienced care providers capable of effectively supporting residents with complex conditions. However, the planning application documents do not indicate a designated care provider with proven expertise in delivering this level of care, nor does it go into detail as to how it would meet the needs within a specialist environment. In summary, while there is a clear need to expand capacity in Tandridge to meet future demand, it is essential to ensure that the right type of provision is developed alongside a qualified care provider and suitable environment.”

38. The planning application does not indicate a designated care provider with proven expertise in delivering the level of complex care identified by Surrey County Council, nor does it explicitly go into detail as to how it would meet these needs within a specialist environment. The challenges facing the care sector, including viability as businesses and recruitment of staff, are well documented nationally. The lack of information with the application, and particularly whether the extra care facility would meet the needs identified by Surrey County Council, detracts significantly from the weight that might otherwise be afforded to this specialist housing aspect of the proposed development. Your officers consider, given the limited information in the planning application on this aspect of the development, that limited weight should be afforded to the provision of an extra care facility in the overall planning balance.

Key Issue 2 - Is the Site Green Belt or Grey Belt

39. Paragraph 155 of the NPPF provides that development of homes in the Green Belt should not be regarded as inappropriate where all of the following apply:
 - a. The development would use 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 the NPPF; and
 - d. Where applicable, the development meets the Golden Rules requirements set out in paragraphs 156-157 of the NPPF.

40. Annex 2: Glossary to the NPPF defines “grey belt” as follows:

“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.

Paragraph 143 of the NPPF defines Green Belt purposes (a) to (e) 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*

e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”

Based on consideration of these definitions, the applicant considers that the site is grey belt.

41. The applicant's Planning and Affordable Housing Statement addresses this key issue with particular regard to whether the application site contributes to Green Belt purpose (a), that is to check the unrestricted sprawl of large built-up areas. The conclusion set out in the table at paragraph 6.91 of the Statement is that:

“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.”

In another part of the Statement (paragraph 6.113) the development proposal is characterised as infilling a pocket of undeveloped land. The overall conclusion in paragraph 6.114 of the Statement is that:

*“...the 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.”*

42. The applicant further concludes at paragraph 6.91 of the Planning and Affordable Housing Statement with respect to Green Belt purposes (b), (d) and (e) that the application site plays no role in meeting any of these purposes, while with respect to purpose c) the applicant concludes that the site does safeguard the countryside from encroachment..
43. Your officers agree that the site does not strongly contribute to Green Belt purposes b), d) and e) but agree with respect to purpose c) that the site does safeguard the countryside from encroachment.
44. However, your officers disagree with the applicant's assessment that the site does not make a strong contribution to Green Belt purpose (a) and consider that, on the contrary, the site does make a strong contribution to Green Belt purpose (a) for reasons set out below.
45. Advice in MHCLG's “Advice on the role of the Green Belt in the planning system” makes clear that purpose (a) relates to the sprawl of large built up areas. Villages should not be considered large built-up areas. Large built-up areas are not defined. The applicant asserts that Oxted is not a large built-up area, but in a local context is one of the larger built up areas of the district. Limpsfield / Oxted / Hurst Green, with all three built up areas running into one another, is one of the three main built up areas in Tandridge District and has a population of approximately 12,000. This is set out in the 2008 Core Strategy and was also explained in the now withdrawn Local Plan.
46. The applicant further states that 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. Your officers disagree with this characterisation of the development proposals. The application site is a standalone parcel of land outside of the built-up area of Oxted with no built development to the

north, east and west. The proposed development will not infill between existing urban development but extend urban development out into open countryside. Furthermore, because of the containment of existing urban development by the railway embankment to the north, and with the parish cemetery to the east, the application site is not a “pocket” of land that will round off the urban area of Oxted. It will be a standalone residential neighbourhood.

47. The applicant also challenges the Council’s Green Belt Assessment (Part 3): Appendix 1 (2018) carried out for the withdrawn Local Plan, which found that the site made “a strong contribution to openness and the Green Belt purposes in this location” and that its development would potentially harm the ability of the wider Green Belt to continue to serve the purposes. The Local Plan Inspector, although recommending withdrawal of the Plan, was content with the Green Belt assessments carried out by the Council, finding them to be adequate (Inspector’s final report, Annex 1 - ID16-paragraph 42).
48. MHCLG’s “Advice on the role of the Green Belt in the planning system” is that areas that contribute strongly to checking the unrestricted sprawl of large built-up areas are likely to be free of existing development and lack physical feature(s) in reasonable proximity that could restrict and contain development. They are also likely to include all of the following:
 - Be adjacent to a large built-up area.
 - If developed, result in an incongruous pattern of development (such as an extended “finger” of development into the Green Belt).

Considered against these criteria, the application site is free of development but adjacent to a large built-up area; it lacks strong physical features to the north and west that could restrict or contain development and, because of its physical isolation from the urban area of Oxted, would result in an incongruous pattern of development. This can be readily seen from Figure 12.2 “Site Context” in the Landscape and Visual Impact Assessment and the Illustrative Masterplan accompanying the planning application. For the reasons set out above, your officers consider that the site does strongly contribute to Green Belt purpose (a).

49. As such, the site is Green Belt not Grey Belt. Paragraphs 155 to 158 of the NPPF do not apply in the determination of this application. Given the finding that the site is Green Belt, the development proposal falls to be considered against national and development plan policies for the protection of the Green Belt.
50. Furthermore, and as will be explained in more detail below, the site is not Grey Belt because the application of the policies relating to the areas or assets in NPPF footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development. The site contains an irreplaceable habitat, Ancient Woodland (AW) and is adjoined by an even larger area of AW called The Bogs as confirmed by the applicant’s Preliminary Ecological Assessment and two arboricultural assessments. This AW is a wet woodland with a water supply currently fed by surface water run-off from the application site and a stream running along the western boundary of the application site. As will be explained in addressing Key Issue (vii) below, your officers consider that there could be loss or deterioration of this AW resulting from the proposed development contrary to NPPF paragraph 193c).

51. Paragraph 193c of the NPPF provides that development resulting in the loss or deterioration of irreplaceable habitats (such as AW) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.
52. Paragraph 142 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 of the NPPF provides that the Green Belt serves five purposes identified as a) to e) in paragraph 40 above. Purpose a), to check the unrestricted sprawl of large built-up areas applies in this case. Purpose c) to assist in safeguarding the countryside also applies. Paragraph 153 of the NPPF provides that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from a development proposal, is clearly outweighed by other considerations.
53. Paragraph 154 of the NPPF provides that development is inappropriate unless it comes within the category of a number of exceptions none of which applies in this case.
54. Local Plan Policy DP10 advises that within the Green Belt, planning permission for any inappropriate development which is, by definition, harmful to the Green Belt, will normally be refused and will only be permitted where 'very special circumstances' exist that clearly outweigh any potential harm to the Green Belt by reason of inappropriateness and any other harm.
55. The openness of the Green Belt has a spatial as well as a visual aspect and is therefore best viewed as the absence of development. The effect of a development on openness will be dependent to an extent on how visible it is. Even where a development is not visible, it will have a spatial impact by taking up space that was previously free from development.
56. The applicant's Planning and Affordable Housing Statement at paragraphs 1.28 to 1.32 addresses the definitional harm, visual harm and harm to openness and harm to Green Belt purposes that the proposed development would give rise to. Definitional harm is accepted. Visual harm is considered to be minor at site level with limited change given the level of visual containment of the site. Spatial harm is considered to be significant in terms of the openness of the site. The Statement further accepts that the proposed development would have a moderate impact in terms of conflict with purpose c) of the Green Belt, that is safeguarding the countryside from encroachment. Paragraph 6.91 of the Statement accepts that the application site does "safeguard countryside from encroachment". Paragraph 6.227 of the Statement summarises the harms of the proposed development as "limited localised change in landscape character/visual impact". Paragraph 7.8 of the Statement accepts that the adverse impacts of the proposed development include loss of countryside. The applicant's conclusion is that the benefits of the proposed development in providing much needed market, affordable and old persons' accommodation in a sustainable location amount to very special

circumstances that outweigh the identified harm to the Green Belt and other harm.

57. The findings of the Landscape and Visual Impact Assessment accompanying the application are noteworthy in concluding that the proposed development will have a major adverse effect at site level due to the permanent introduction of built form onto open agricultural land and this represents an acceptance of both the spatial and visual harm that will arise from the development.
58. The applicant accepts that there will be definitional harm to the Green Belt and thereby that the proposed development is inappropriate in the Green Belt. The NPPF and development plan policy DP10 provide that any harm to the Green Belt, including harm to its openness (that is spatial harm) and visual harm, has to be afforded substantial weight in determining this application. Your officers while agreeing with the applicant that there will be definitional harm to the Green Belt from the proposed development also consider that there will be spatial and visual harm and thereby loss of openness. Furthermore, any other harm resulting from the development also has to be taken into account and such other harm will be considered below. The applicant needs to demonstrate that very special circumstances exist that outweigh this Green Belt harm and other harm before the application can be approved. These are matters to be addressed in the planning balance.
59. The key issues considered below will be relevant in your officer's final assessment of harm to the open countryside and other harm the proposed development would cause.

Key issue 3 – whether the site is a valued landscape

60. The NPPF at paragraph 187 provides that planning decisions should contribute to and enhance the natural and local environment by, inter alia, protecting and enhancing valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan. Core Strategy policy CSP18 states that:

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

Core Strategy policy CSP21 states that the character and distinctiveness of the District's landscapes and countryside will be protected for their own sake, new development will be required to conserve and enhance landscape character.
61. The policies of the Surrey Hills Management Plan 2020-2025 are also an important material consideration in the determination of this application. The key policies in this respect are:

LU1 - Great weight will be attached to any adverse impact that a development proposal would have on the amenity, landscape and scenic beauty of the AONB and the need for its enhancement.

LU2 - Development will respect the special landscape character of the locality, giving particular attention to potential impacts on ridgelines, public views and tranquillity.

LU6 - Development that would spoil the setting of the AONB by harming public views into or from the AONB will be resisted.

62. The NPPF does not contain a definition of 'valued landscape'. The Landscape Institute has published Guidance Note TGN 02-21: "Assessing landscape value outside national designations" that enables an evaluation of whether landscapes possess demonstrable physical attributes beyond the ordinary that justify their status as valued landscapes. The Guidance Note advises that when assessing landscape value of a site as part of a planning application or appeal, it is important to consider not only the site itself and its features/elements/characteristics/qualities, but also their relationship with, and the role they play within, the site's context. Value is best appreciated at the scale at which a landscape is perceived – rarely is this on a field-by-field basis.

63. A range of factors are identified in the Guidance Note that can be considered when identifying landscape value. These factors are considered below with the Council's landscape consultant's assessment of their relevance to the application site and its wider landscape context:

Factor	Commentary
Natural heritage	The Site itself largely comprises arable land although it contains a number of mature trees and there is an area of tall herb vegetation in its western part. It contains an area of native woodland that forms a contiguous part of The Bogs, an area of ancient semi-natural woodland and candidate SNCI. A further small area of woodland is located at the north-eastern end of the Site. The contribution to this factor is therefore high.
Cultural heritage	The Site does not contain any heritage assets, but it is adjacent to the churchyard of the Grade I Listed Church of St Mary, and an area of ancient woodland. The contribution to this factor is therefore medium.
Landscape condition	The Site represents an area of well-managed arable land. The landscape in which it is located is in good condition with a healthy structure and a high proportion of trees and woodland. The landscape is of sufficient intactness to be promoted by Natural England as part of the extended Surrey Hills National Landscape. The contribution to this factor is therefore high.
Associations	There are no known associations with the Site and its landscape setting.

Distinctiveness	The Site is strongly representative of the published character of the Greensand Valley. The Site and its setting form the outlook from the Surrey Hills National Landscape. The contribution to this factor is therefore high.
Recreational	The Site contains a public bridleway that is a key connection between Oxted and the Surrey Hills National Landscape. The surrounding landscape contains the North Downs Way National Trail and a number of Long Distance Recreational Routes. The valley slopes to the north of the Site are designated Open Access Land, and the cemetery immediately east of the Site is also publicly accessible. The contribution to this factor is therefore high.
Perception (scenic)	The Site forms part of the outlook from the Surrey Hills National Landscape, and it is at an advanced stage of consideration for inclusion within the National Landscape. The contribution to this factor is therefore high.
Perception (wildness and tranquillity)	The Site represents an area of arable land, with some woodland and tall herb vegetation. It adjoins the settlement of Oxted and there is background noise from the railway and M25 motorway, but the strongly vegetated boundaries lend it a sense of seclusion in places. The contribution to this factor is therefore medium.
Functional	The Site is largely arable, but it also contains wet woodland that provides a variety of environmental functions as part of the wider complex of The Bogs. Its boundaries provide important green infrastructure connections to the wider landscape, and the bridleway that crosses it performs an important social function. The contribution to this function is therefore high.

Again, the view expressed by the planning advisor to the Surrey Hills AONB Management Board in his representations on this application that:

“The very fact that Natural England’s (NE) consultant landscape consultants have assessed this site as meeting NE’s criteria of natural beauty sufficient for National Landscape designation and meets its desirability requirement demonstrates the high landscape value of this site.”

64. The applicant's LVIA forming part of the ES made an assessment whether the site was a valued landscape using the Landscape Institute Guidance Note TGN 02-21 and concluded that it was not.

65. Taking all the relevant factors assessed above together, your officer's assessment, and that of the Council's landscape consultant, is that the application site is elevated above the ordinary. In the words of the Stroud judgment on valued landscapes, the site exhibits many attributes that take it above mere countryside. Importantly, the site contributes to the landscape and scenic beauty of the Surrey Hills National Landscape. As Natural England explains in its boundary review assessment "...the open arable field between Barrow Green Lane and the settlement edge forms part of a sweep of agricultural landscape to the north and affords dramatic views of the chalk scarp." The Boundary Review Natural Beauty Assessment Final Report – February 2023 confirms at page 142 that this area has the same high quality landscape as the existing AONB to the north, stating: "The landscape in this area blends seamlessly with the North Downs to the north." Officers conclude, as does the Council's landscape consultant, that the site is a valued landscape and has a high degree of susceptibility to change, and as such, paragraph 187 a) of the NPPF is engaged in the determination of this application.

66. The applicant's LVIA assesses the anticipated landscape effects on landscape receptors and anticipated visual effects following implementation of the proposed development (ES paragraphs 12.6.9 to 12.6.22). The overall conclusions relating to landscape receptors are:

- effects experienced by the Site are predicted to be direct, major and adverse, not untypical following the permanent introduction of built form to open land.
- effects on retained trees and The Bogs as landscape features would be minor and neutral.
- effects on the character of LCA G4 (Surrey Landscape Character Assessment) are predicted to be minor and adverse due to removal from the LCA of part of the site.
- the proposed development would not impact on any ridgelines in the AONB and, due to intervening distance, would not impact on the tranquillity of the AONB.
- although discernible from some locations within the AONB, the Proposed Development - located beyond the M25 and adjacent to the existing settlement - would not harm any public views from the AONB.
- in terms of views towards the AONB, 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.
- effects on the AONB are therefore predicted to be negligible.

In terms of anticipated visual effects of the proposed development when completed would be:

- users of Bridleway 97 an adverse and major effect
- users of footpaths south of the site a negligible effect
- users of footpaths in the AONB a negligible effect
- users of Oxted burial ground an adverse and moderate effect
- visitors to St Mary's Church and adverse and minor effect
- visitors to Masterpark a negligible effect
- users of Barrow Green Road an adverse minor effect

- users of Wheeler Avenue an adverse and minor effect
- residents of properties on Wheeler Avenue an adverse and moderate effect
- residents of properties north and west of the site an adverse and minor effect

It should be noted that no additional mitigation is proposed and therefore the residual effects of the proposed development on the landscape and visual receptors will remain as set out above.

67. Your officers do not consider that the LVIA's assessment of impacts on receptors or visual effects is always an accurate assessment of those impacts. Paragraph 12.10.4 of the ES chapter relating to Landscape and Visual effects states:

"In longer views, the Site is discernible in the wide, panoramic views from elevated locations on the scarp to the north. The value and sensitivity of the visual receptors ranges from medium to high."

The elevated location on the scarp to the north can only be within the National Landscape and where views of the site are obtained from public footpaths or public spaces would not be a negligible visual effect but an adverse major visual effect. The proposed development would extend built development into the open countryside, so having an urbanising effect on that countryside, and detracting from the experience of those resorting to the National Landscape and wanting to enjoy the elevated panoramic views it affords. The sensitivity of visual receptors in these elevated locations is assessed in the ES as medium to high but your officers assessment is that the sensitivity is high. Effects for receptors of retained landscape features, including The Bogs, are assessed as minor to neutral but these form an important part of the landscape features of the site where affects on receptors will be major adverse. The impact of the development on receptors in the wider LCA G4 assessed in the ES is said to be minor and adverse and as these receptors will be generally viewing the site from lower elevations your officers would not disagree. The impact of the development on visual receptors using Bridleway 97 as adverse and major, with which your officers agree, appears not to be reflected in the overall assessment of impacts in the ES.

68. Your officers would also question the conclusions of the ES with respect to some of the visual effects. Users of footpaths to the south of the site could be expected to experience a similar adverse and moderate effect as visitors to the adjoining Oxted burial ground. The users of Barrow Green Road which runs immediately adjacent to the northern boundary of the site will see a complete change in the character of the site from a rolling field to a housing development which must represent an adverse and major visual effect even with landscape mitigation. Users of Wheeler Avenue currently see a belt of vegetation which will be replaced by a wide gap with a road and footways passing through it with views of a housing development beyond which would be an adverse and moderate visual effect.

69. Paragraph 187 (a) of the NPPF provides that planning policies and decisions should protect and enhance valued landscapes in a manner commensurate with their identified quality in the development plan.ore Strategy policy CSP20(b) provides for the conservation and enhancement of important viewpoints, protecting the setting and safeguard views out of and into the AONB (now the National Landscape). Core Strategy policy CSP21 provides that the character and distinctiveness of the District's landscapes and countryside will be protected for their own sake and new development will be

required to conserve and enhance landscape character. Specifically, the application site is a valued landscape in the setting of the National Landscape and important in safeguarding views into and out of the National Landscape and has an identified quality in the development plan in terms of the provisions of Core Strategy policy CSP20(b). Furthermore, Core Strategy policy CSP21 requires that new development conserves and enhances this valued landscape which has qualities above those of ordinary countryside. Your officer's view is that the proposed development does not achieve compliance with either policy and is not commensurate with the development plan.

70. Furthermore, the proposed development is contrary to Policy CSP18. Based on the above review of the ES Landscape and Visual chapter, and officer's own assessment of landscape and impacts on the character of the wider area in which the site is situated, the proposed development does not reflect and respect the character, setting and local context, including those features (such as Bridleway 97) that contribute to local distinctiveness. The proposed development is also contrary to Core Strategy policy CSP21 which requires the Council to conserve and enhance important viewpoints, protect the setting and safeguard views out of and into the AONB (now the National Landscape). The proposed development is also contrary to Core Strategy policy CSP21 in that the character and distinctiveness of the District's landscapes and countryside, both within the site itself and its wider setting, will not be conserved and enhanced. The proposed development is also contrary to policies LU1, LU2 and LU3 of the Surrey Hills Management Plan 2020-2025 which is an important material consideration because it would have adverse impacts on the setting of the National Landscape and harming views into or from the National Landscape.
71. Your officer's view is that the conflicts with national and development plan policy and material considerations relating to protection of this valued landscape set out above attract substantial weight against the grant of planning permission when weighed in the planning balance.

Key issue 4 - impact of the proposed development on the setting of the National Landscape:

72. The applicant's LVIA confirms that the site is within the setting of the Surrey Hills National Landscape and your officers and the Council's landscape consultant agree with this finding. The site is visible in view, particularly elevated views, on the scarp slope of the North Downs. The Council's landscape consultant comments that :
"The Site is front and centre in views from the Surrey Hills and it is absolutely within its setting."
As referred to above, there are dramatic views of the North Downs for users of the bridleway crossing the site.
73. The NPPF at paragraph 189 provides that development within the setting of the National Landscape should be sensitively located and designed to avoid or minimise adverse impacts on the designated area. Section 85(A1) of the Countryside and Rights of Way Act 2000 (as amended) places a duty upon the Council that it must "seek to further the purpose of conserving and enhancing the natural beauty of the AONB" in any planning decisions that may affect the designated area, including its setting.

74. Tandridge Core Strategy policies CSP20 and CSP21 provide that the conservation and enhancement of natural beauty of the National Landscape is of primary importance. Policy CSP20 sets out principles to be followed in considering development proposals affecting the National Landscape, including conserving and enhancing important viewpoints, protecting the setting and safeguarding views out of and into the AONB.

75. The letter from Natural England refers to views of the National Landscape from the site:

The visualisations from the bridleway which crosses the Site illustrate the change to public views towards the National Landscape which would be significant. Views to the north west, towards the National Landscape, are currently open and unspoilt and the wooded ridge and unsettled lower slopes are a prominent feature in the views. These views contribute to the sense of being beyond the settlement edge and part of the wider landscape which makes up the setting to the National Landscape. The proposed development would disrupt these views significantly with only a small, narrow views of the wider countryside possible and framed by residential development.

The current Surrey Hills AONB Management Plan, 2020-2025, includes Policy P6 which provides that development that would spoil the setting of the AONB by harming public views into or from the AONB will be resisted.

76. The applicant's LVIA concludes that the effects of the completed development (operational phase) on the National Landscape will be negligible. The findings of the LVIA in this regard are summarised in the applicant's Planning and Affordable Housing Statement at paragraph 6.147, as follows:

"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 are proposed."

However, paragraph 1.148 of the Statement then goes on to state somewhat contradictorily:

"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."

77. Despite this apparent contradiction, there appears to be agreement between your officers, the Council's landscape consultant, Natural England, the Surrey Hills AONB Management Board planning advisor and the applicant that there will be adverse impacts from the development for the setting of the National Landscape. These adverse impacts are identified in the visualisations of the proposed development in the applicant's ES which show:

- That the proposed development will be clearly visible from public viewpoints on the scarp of the North Downs appearing as a substantial extension of the Oxted urban area into the open countryside at the foot of the Downs
- ES Appendix H3 Part 1. These visualisations from the bridleway crossing the middle of the site illustrate probably the most significant changes to public views into the National Landscape. Currently, a wonderful unspoilt and dramatic panoramic landscape view is gained of the scarp slope of the North Downs. That would be almost completely lost by the development as so clearly illustrated by the visualisations. That provides an attractive

backdrop to this part of Oxted. The bridleway is well used and of importance to the public. The manner in which the multitude of objectors to the application express themselves illustrate how important the protection of this view of the North Downs is to them. There are also informal footpaths around the periphery of the field where current views of the National Landscape would be lost due to the proposed development.

- ES Appendix H3 Part 3. Currently, visitors to the burial ground benefit from attractive and tranquil views of the North Downs and the absence of any intervening development. As the visualisations show, the massing of the care home would obstruct that view which would detract from visitors' experience to this publicly sensitive location. From the entrance to the burial ground the introduction of a dwelling close to the burial ground would spoil a lovely approach to the burial ground by blocking the view of the North Downs.
- ES Appendix H3 Part 5. Although not as widely important as the above views, the attractive view of the National Landscape at the end of the cul-de-sac of Wheeler Avenue would be obstructed by the proposed development.

Your officer's consider, based on the above assessment in the ES forming part of the application, that the degree of harm does not meet the requirement set out in NPPF paragraph 189 for developments within the setting of National Landscapes to be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. As set out above, the site contributes to the landscape and scenic beauty of the Surrey Hills National Landscape and has a high degree of susceptibility to change. These adverse impacts represent other significant harm that will be caused by the development proposals.

78. Based on the above assessment of significant adverse impact on the setting of the National Landscape, the proposed development is contrary to the provisions of paragraph 189 of the NPPF, Core Strategy policies CSP20 and CSP21, and Surrey Hills AONB Management Plan policy P6. Furthermore, given the findings above of adverse impact on the setting of the National Landscape, if the Council were to grant planning permission it would not be complying with its statutory duty under Section 85(A1) of the Countryside and Rights of Way Act 2000 (as amended), that it must "seek to further the purpose of conserving and enhancing the natural beauty of the AONB". These considerations attract substantial weight against the proposed development in the overall planning balance

Key issue 5 - extension of the Surrey Hills National Landscape to include the application site:

79. In June 2021, Natural England (NE) announced a new landscape designation programme which included a review of the Surrey Hills National Landscape boundary. NE conducted an early call for evidence that helped build an understanding of potential areas to extend the boundary. Specialist landscape consultants then undertook technical assessments of the landscape, identifying distinct extension areas. In 2023, NE held the first statutory and public consultation for the proposed extension to the Surrey Hills National Landscape. During their analysis work, NE revisited their initial assessments and undertook additional field work, especially where a review of the boundary was required. NE subsequently produced a detailed analysis report which presented the findings of the consultation analysis.

80. The evidence provided through the first consultation process presented strong arguments to include additional land in the Surrey Hills and this was reflected in the analysis tables, accompanying figures and changes to NE's proposals. This was the stage at which the application site was put forward as a candidate for inclusion in the National Landscape. Following the decision to add further land to the National Landscape, a second round of consultation was required in accordance with NE's duties under the Countryside and Rights of Way Act 2000. The second consultation was launched with stakeholders invited to provide a response on the changes to NE's proposals, including further additions, minor deletions and new land. The consultation ran from the 17th of September to the 10th of December, 2024.
81. NE received over 375 responses to the second consultation, the vast majority of which were supportive of the proposals. Each proposed addition and deletion attracted respondents who wished to comment. Analysis of responses received during the second consultation has since been undertaken. During the analysis work, NE revisited their initial assessments and undertook additional field work, especially where a review of the boundary was required. They have now produced a detailed analysis report which presents the findings of the consultation analysis. This report confirmed the proposal for inclusion of the application site in the National Landscape.
82. The next stage will be to draw up the draft Variation Order. A Variation Order consists of the legal documents required to vary an AONB boundary. NE will then publish the Variation Order and other papers as required by Section 83(2) of the Countryside and Rights of Way Act 2000. NE will then plan and proceed with a formal period of Notice (referred to as the Notice Period) and this is expected to occur during 2025. The Notice Period allows anyone who wishes to do so to make representations to NE, objecting to, supportive of, or proposing amendments to the proposal, and stating the grounds on which they are made.
83. Following the Notice period, a further period of response analysis will be required, and any consequent changes made to the draft designation Order. NE will then proceed with preparing documentation for the making and submitting of an Order to the Secretary of State for confirmation. This is expected to happen early in 2026.
84. The above resume of progress in reviewing the boundaries of the Surrey Hills National Landscape shows that, after 4 years of field work by specialist consultants and public consultation work towards drafting a Variation Order for approval by the Secretary of State for DEFRA is well-advanced. The application site is proposed to be included in the National Landscape. This is consequently an important material consideration in the determination of this planning application.
85. The NPPF at paragraph 189 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes which have the highest status of protection in relation to this issue. The scale and extent of development in National Landscapes should be limited. Paragraph 190 of the NPPF provides that when considering applications for development within the National Landscapes, permission should be refused for major developments other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an

assessment of, inter alia, any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

86. The provisions of the NPPF set out in paragraph 83 above represent a very high bar for any planning application for major development in a National Landscape, such as that proposed in this application, to overcome before planning permission is granted. These provisions in paragraphs 189 and 190 of the NPPF do not apply ~~with full force~~ to the application site at present because it is not yet part of the designated National Landscape. However, the proposed inclusion of the application site is a weighty material consideration in the determination of this application and NPPF paragraphs 189 and 190 provide the context for determining the weight to be attached to this material consideration.
87. The proposed incorporation of the application site within the National Landscape could be confirmed by a Variation Order within the next 12 months. If the planning permission sought by this application were granted within that timescale the justification for the site's inclusion in the National Landscape would be negated. The applicant's Design and Access Statement, Illustrative Masterplan and Illustrative Landscape Masterplan do not provide for any effects on the environment, the landscape and recreational opportunities to be acceptably mitigated. The proposed development would have permanent adverse impacts on the National Landscape. In your officer's view, the proposed designation of the application site as part of the National Landscape is a material consideration to be given great weight in the planning balance.

Key issue 6 - the implications of the proposed development for biodiversity, including The Bogs Potential Site of Nature Conservation Interest and ancient woodland:

88. The NPPF at paragraph 187 provides that planning decisions should contribute to and enhance the natural and local environment by, inter alia, minimising impacts upon and providing net gains for biodiversity. NPPF paragraph 193 provides that when determining planning applications, local planning authorities should apply the following principles:
 - If significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or, as a last resort, compensated for, then planning permission should be refused; and
 - Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland) should be refused, unless there are wholly exceptional reasons and a compensation strategy exists.

Core Strategy policy CSP17 requires the protection of biodiversity and the maintenance, enhancement, restoration and (if possible) expansion of biodiversity. Local Plan Part 2 policy DP19 protects irreplaceable habitats (such as ancient woodland) and seeks to avoid harm to green infrastructure networks and Priority Species.

89. The application is accompanied and informed by a Preliminary Ecological Appraisal and an ecology chapter in the ES for which a separate ecological impact assessment was carried out. The general conclusions of the ES ecology chapter are:

"10.11.1 The site was made up of a large arable field, bisected by a public footpath and bounded by an informal footpath and belts of scrub with trees, lowland mixed deciduous woodland, wet woodland, and a small stream. An area of ancient woodland known as 'The Bogs' is noted as a potential site of importance for nature conservation (pSNCI). The site supports relatively low numbers of commuting bats and a good population of slow worm along the boundaries. Habitats are likely to also support widespread species of nesting birds and hedgehog. No badger setts have been recorded on site and surveys confirmed absence of dormouse on site. The site was considered to have negligible potential to support other protected species such as great crested newts, otters and water voles.

10.11.2 Baseline data gathered from the desk studies and ecology surveys undertaken on site between 2022 and 2024, have been assessed to determine the relevant ecological receptors on site and within the zone of influence and their sensitivity. Effects of construction and operation of the development on these receptors and their magnitude and significance have been evaluated in accordance with industry recognised methodology for Ecological Impacts Assessment (EIA) developed by the Chartered Institute of Ecology and Environmental Management (CIEEM). Where potential negative effects were identified, measures to avoid, reduce or compensate have been described, and any residual effects following mitigation documented.

10.11.3 Embedded mitigation for the scheme includes:

- Production and adherence to a Construction and Environmental Management Plan (CEMP), to protect habitats and protected species during construction;*
- Implementation of a landscape strategy which will create significant areas of new habitats and wildlife features across the site, such as trees, species-rich hedgerows, wildflower grassland and bird/bat boxes;*
- Implementation of a Habitat Management and Monitoring Plan (HMMP) which will detail the long term management of the newly created habitats and ecological features on site; and,*
- Implementation of Sensitive Lighting Strategy for Bats.*

10.11.4 Potential impacts during the construction phase, relate to potential damage to sensitive habitats and harm/disturbance to protected species. However, mitigation measures to be outlined within the CEMP will ensure these impacts are avoided or significantly reduced and the landscape strategy will ensure adequate compensatory habitat is created across the site.

10.11.5 Potential impacts during the operational phase, relate to potential recreational pressure and pollution of sensitive habitats, harm to protected species associated with domestic pets and people, and disturbance to commuting bats as a result of increased artificial lighting. However, the landscape strategy and HMMP will ensure these impacts are avoided or significantly reduced in the long term.

10.11.6 Following embedded mitigation, no residual effects remaining and therefore no additional mitigation is required.

10.11.7 Following this assessment, it can be concluded that the development will result in no significant effects."

90. The ES makes specific comments about the impact of the proposed development on The Bogs Potential Site of Nature Conservation Interest (pSNCI) adjoining the south-west corner of the site:

"10.7.30 The Bogs pSNCI is located adjacent to the southern boundary of the Site. It is a private site and has no footpaths within it. Furthermore, the wet nature of the woodland and extensive nettles makes traversal difficult, and a fence will be installed in the south of the site to deter entry. As such, recreational impacts on this woodland associated with the development are unlikely to be significant.

10.7.31 The water within the woodland is primarily supplied by a small unnamed stream that runs along the western boundary of the development. The wastewater plan obtained from Southern Water, shows that this stream is fed by a pipe that connects to a surface water gravity sewer that covers an extensive area in the north-west of Oxted. This stream is to be unaffected by the development. The ground water within the Site itself emerges in a small spring in the south-west of the field, and likely seeps into the woodland as well, feeding the stream.

10.7.32 Groundwater monitoring wells were installed in the wet woodland area with trial pits subsequently excavated near the spring. The surveys showed that groundwater levels were below ground both when moving away from the saturated land associated with the spring and when land levels rose. As such, built form has been kept out of the wet area, and no buildings have been located either between the watercourse and the wet area, or within 10m of the wet area. This will minimise any effect upon the ground water flow which will continue in a northwest to southeast direction.

10.7.33 The proposals will not obstruct the flow of water from the spring, and surface water runoff will be directed to SUDS in the south-west of the Site, which will help to filter out any pollutants, before seeping into the woodland. Furthermore, the existing agricultural use of the Site likely contributes potentially significant levels of harmful runoff of fertiliser, pesticides, and herbicides into the woodland. This may account for the abundance of nettles in the wet areas, as this is an indicator of high nutrients. As such, cease of these agricultural practises with the creation of the development may improve the quality of water feeding from the spring into the woodland.

*10.7.34 On the basis of the above, as the sensitivity of The Bogs pSNCI is considered to be classified as **high** and the magnitude of impact is considered to be **negligible**, this is assessed to result in a **minor beneficial effect**.*

The ES goes on to state:

"10.11.5 Potential impacts during the operational phase, relate to potential recreational pressure and pollution of sensitive habitats, harm to protected species associated with domestic pets and people, and disturbance to commuting bats as a result of increased artificial lighting. However, the landscape strategy and HMMP will ensure these impacts are avoided or significantly reduced in the long term. "

91. Notwithstanding the conclusions of the ES, your officers and Surrey Wildlife Trust have a number of unresolved concerns relating to the ancient woodland, as follows:

Extent: the area of ancient woodland adjoining the south-west corner of the site extends into the site itself. Based on the precautionary principle, your officers considers that all woodland within the south west corner of the site should be considered to have a high potential to be ancient woodland and should be treated as such in the determination of this application.

Potential for Increased Disturbance of the Ancient Woodland from Occupation of the Proposed Residential Development: as set out above, the ES identifies potential impacts on the AW when the development is occupied relating to recreational pressure and harm to protected species associated with domestic pets and people. The ES proposes that these potential impacts are dealt with through a HMMP but no details are given. The Arboricultural Impact Assessment accompanying the application refers to a 15-metre buffer zone and fencing to the ancient woodland. The fencing is shown as running around the edge of the adjacent woodland within the site where there is also ancient woodland as confirmed in the applicants Assessment. Again, based on the precautionary principle, your officers considers that specific management measures to deter human and domestic pets from entering any part of the ancient woodland need to be incorporated in these development proposals and then detailed in an appropriately worded planning condition; and

Hydrological Impacts: the stream running down the western edge of the application site receives surface water runoff from that site as well as piped surface water drainage for the Oxted urban area. The importance of this surface water runoff for maintaining the ancient wet woodland habitat of the Bogs pSNCI, both on-site and off-site, needs to be assessed and factored into the surface water drainage proposals for the proposed development to ensure continuity of an adequate water supply to the ancient woodland and avoid any risk of deterioration of this irreplaceable habitat. The review of the applicant's FRA by consultants acting for the local residents' group comments that the Hydraulic Modelling Report:

"shows a reduction in flood levels to the south of the site, which would also mean a reduction in flow to The Bogs. Given the area of ancient woodland with a wet woodland dominated landscape, a reduction in flow may not be a desirable outcome and could have adverse impacts on the biodiversity of the area. The hydraulic modelling studies should go further to demonstrate what would happen on a higher frequency lower magnitude basis and look at a typical annual water balance to identify the full impact to The Bogs."

The same consultants have then commented on the further information provided by the applicant's technical note in response to an initial objection to the application by the LLFA, as follows:

"there is nothing in the technical note to consider the impacts of the development on the hydrology of The Bogs. It appears that the SuDS design has been optimized to consider the flood risk at the site without considering the role that both surface and groundwater flowing from the site plays in sustaining the environment of The Bogs. A programme of monitoring should be undertaken to understand the seasonal variation in groundwater level and flows in The Bogs and surrounding area, which would at least provide an idea of the baseline conditions.

With the SuDS design including detention ponds which are sealed to prevent the upwelling of groundwater Motion should make an assessment of how this and the impermeable roads and building slabs of the site may affect the groundwater. The location of the spring which was identified may then move as the groundwater would take the path of least resistance to the lowest ground

elevation. Also, with the ponds being designed to store the surface runoff from the site and only have an outflow when levels reach a certain height under extreme conditions, a significant volume of surface water may be prevented from reaching The Bogs and instead would be stored and lost through evaporation. Motion should also undertake an annual pond water balance assessment over a number of years to identify how much water typically would be prevented from reaching The Bogs under the proposed design. Overall, the total storage capacity of the four ponds to the western side of the site is 2452 m³, according to the information in the layout drawing in Appendix B of the technical note which is a significant volume potentially lost from inflow to The Bogs.”

Your officers agreed with much of this consultant's assessment and tried to obtain more information from the applicant on continuity of water supply to The Bogs but this has not been forthcoming at the date of determining this planning application. None of the applicant's relevant reports have made an assessment of flow rates of water into The Bogs prior to or following development. There is consequently no way of ascertaining that, post-development, current flows of water into The Bogs will be maintained and that irreparable harm to the AW will not result. Once again, based on the precautionary principle, the surface water drainage proposals for the development need to incorporate provision for no diminution in, or significant exceedances of, the supply of water from the application site by way of surface water run off or stream feed into The Bogs pSNCI. The quality of surface water to be discharged via the proposed SuDS drainage system to be built as part of the development also needs to be assured.

92. The Surrey Wildlife Trust in its comments on the application identifies another important habitat within the site, as follows:

*“Section 10.6.1 of the Environmental Statement Volume 2 – Chapter 10: Ecology details that the construction phase will result in the permanent loss of a section of hedgerow in the north-east for a site access. **However the overall submission, to include ecological, does not include any reference to the implementation of the mitigation hierarchy.** The hedgerow has been confirmed as being a Habitat of Principal Importance, and there is no evidence of the Applicant having consideration for an alternative access location, which would not result in the loss of any hedgerow. It is acknowledged that an alternative design may require the loss of bramble scrub, however bramble scrub is not a Habitat of Principal Importance.”*

93. The Bogs is an irreplaceable habitat and its loss or deterioration needs to be assured. Your officer's consider that this is a matter of fundamental importance to whether the development is allowed to proceed. Similarly, it needs to be determined if the hedgerow Habitat of Principal Importance can be avoided or not in the course of development. These are not matters that could be made subject to a planning condition but need to be determined before a planning permission is granted.

94. Surrey Wildlife Trust has identified in its comments summarised above that the ecological information with the application is insufficient to enable a full assessment of the ecological impacts of the proposed development. As such, it is not possible for your officers to conclude that the development proposals will not cause harm to biodiversity. Most importantly, the proposed development has the potential to cause irreparable harm to an irreplaceable habitat, ancient woodland, both on-site and off-site and lead to the loss of a Habitat of Principal Importance. The development proposal is therefore contrary to the provisions

of NPPF paragraphs 187 and 193, and development plan policies CSP17 and DP19. This is a matter to be afforded substantial weight in the planning balance.

Key issue 7 - biodiversity net gain;

95. NPPF paragraph 187 seeks that planning decisions should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity. Policy CSP17 of the Core Strategy requires development proposals to protect biodiversity and provide for the maintenance, enhancement, restoration and, if possible, expansion of biodiversity, by aiming to restore or create suitable semi-natural habitats and ecological networks to sustain wildlife in accordance with the aims of the Surrey Biodiversity Action Plan. Policy DP19 of the Local Plan Part 2: Detailed Policies 2014 advises that planning permission for development directly or indirectly affecting protected or priority species will only be permitted where it can be demonstrated that the species involved will not be harmed or appropriate mitigation measures can be put in place.
96. The principles of Biodiversity Net Gain (BNG) are enshrined within the Environment Act 2021 in England. This legislation mandates that most developments must achieve a minimum 10% increase in biodiversity value compared to pre-development levels. This increase can be achieved on-site, off-site, or through the purchase of statutory biodiversity credits. 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. The applicants Planning and Affordable Housing Statement refers to the assessment being reviewed and updated at reserved matters stage once there is a developed layout and landscaping strategy. Surrey Wildlife Trust also identify that the BNG assessment may need to be rerun when more information is available about the biodiversity value of the site.
97. BNG is a requirement of national legislation and, while any net gains to biodiversity are to be encouraged, this is not a consideration that should attract more than limited weight in favour of the application in the overall planning balance.

Key issue 8 - impact on the setting of nearby listed buildings:

98. The development of the 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 Farmhouse (Grade II) and Blunt House (Grade II). Most notably, the Grade I listed church of St Mary and Grade II listed Court Farm House are a short distance away from the south-east corner of the application site. The application includes a Heritage Impact Assessment which finds that the site makes a limited contribution to the setting of these listed buildings as a remnant of their historic rural setting. The proposed residential development on the application site will result in the loss of this historic rural setting but the applicant's Assessment is that the resultant harm to the significance of the listed buildings will be less than substantial.
99. Paragraph 215 of the NPPF provides that where a development proposal is likely to lead to less than substantial harm to a designated heritage asset, the

harm should be weighed against the public benefits of that proposal. Development plan policy DP20 seeks the protection, preservation and enhancement of the District's heritage assets. Only where the public benefits of a proposed development significantly outweigh the harm to the setting of a designated heritage asset, will planning permission exceptionally be granted.

100. The Historic Buildings Officer of Surrey County Council has assessed the impact of the proposed development on the three heritage assets identified above. He considers that there will be no impact on the setting of Blunt House. His comments with respect to impacts on Court Farm House and St Mary's Church are:

"I have quite significant concerns about the proposal. At present, the scheme will see the entire redevelopment of the last vestige of the rural setting of both St Mary's Church and Court Farm. While the impact on Court Farm will be lower, there will be quite a significant impact on St Mary's Church. This will be evident both in views from the western end of the church as well as in views from the application site, particularly in the winter months. In the summer months the impact will be lower, but this ultimately depends on the existing tree screening surviving and being retained. The potential impact from the scheme (bearing in mind it is indicative) can be seen from the VP04 in the viewpoint study which removes almost all view of the church from the footpath.

While the site and parameter plans provided by the applicants are indicative and the details are reserved matters, it does demonstrate the challenges of providing up to 190 dwellings and an extra care facility of 80 beds on this site. This shows that there will be roads, houses and boundaries all in proximity to St Mary's Church which will urbanise its setting. This will be evident not only in the built form, but also in the associated parking, lighting, noise and residential clutter from the development. Owing to other constraints on the site, I am not of the opinion that it has been demonstrated that the density or scale of development proposed would be possible without quite a harmful impact on St Mary's Church.

I note the concept plan in the Design and Access Statement shows the original intention was for a much wider area of open space to the south-east of the application site. This was in line with my original comments on the EIA asking for a buffer zone with a clear view from the footpath. This would have been more effective at mitigating the impacts of development the site and would better have reflected the historic rural setting of the church. This appears to have been gradually whittled down as the scheme developed. I consider the resulting small parcel of land to be insufficient in properly mitigating against the urbanising impact of the scheme. Had more of an open space (as shown in the original concept plan) been retained and the building heights remained the same then the impact on St Mary's Church could have been lower. As noted above, I cannot see how this can be achieved without quite significantly reducing the number of units.

I have assessed the scheme in line with paragraphs 208 and 212 of the NPPF. I consider the harm to Court Farm as a Grade II listed building to be at the lower end of less than substantial harm. This is specifically from the impact on its rural setting owing to the loss of its associative link with its former farmland, glimpsed views of roofs from the upper floors of the building during the winter months and the loss of rural approaches to and from the listed building across

the application site. In coming to this lower level of harm, I have taken into account the limited visibility of the building from the application site.

I consider the harm to St Mary's Church to be a moderate degree of less than substantial harm. This is specifically from the loss of the last vestige of its rural setting, which reveals its nature as an early medieval building constructed at a time when the parish had a widely dispersed settlement pattern with no nucleated centre. This will be evident from the buildings, roads, boundaries, vehicles, domestic paraphernalia, noise and lighting which will all be experienced from the church, as well as the impact on approaches to and from the building across the application site. In coming to this conclusion, I have taken into account the existing tree screening which is present during the summer months. The proposal will fully urbanise its surroundings and it will no longer be experienced as the rural parish church it has been since the 12th century.

Great weight will need to be applied to this harm in line with paragraph 212 of the NPPF and even greater weight applied owing to the greater importance of St Mary's Church as a Grade I listed building. As harm to a Grade I listed building is a serious consideration, I would consider this a strong reason for refusal. In line with paragraph 215 of the NPPF, you will need to weigh the benefits of the scheme against the harm to the heritage assets. As I am not aware of any specific heritage benefits from the scheme, you may wish to use this harm as a reason for refusal as part of a wider planning balance.”

101. The applicant's Planning and Affordable Housing Statement list the public benefits of the proposed development (as set out in paragraph 164 below) and concludes that the limited harm to the setting of the listed buildings is outweighed by these benefits.
102. Your officers note the High Court judgement in the case of Barnwell Manor Wind Energy Ltd v E.Northants DC, English Heritage, National Trust & SSCLG ([2014] EWCA Civ 137). The Court held that in enacting section 66(1) of the Listed Buildings Act 1990, Parliament intended that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm but should be given “considerable importance and weight” when the decision-maker carries out the balancing exercise. The applicant has made no assessment of the degree of less substantial harm to the setting of the listed buildings and therefore whether there is just limited harm. In determining this planning application, your officers give considerable importance and weight to the harm the proposed development would cause to the setting of the listed buildings Court Farm House and St Mary's Church. The application is thereby contrary to paragraph 215 of the NPPF and development plan policy DP20 and this attracts moderate weight in the planning balance against the development proposals.

Key issue 9 - surface water flood risk:

103. Policy DP21 (E) requires that development within flood risk zones 2 and 3, and sites at medium or high risk from other sources of flooding as identified by the Council's Strategic Flood Risk Assessment, will only be permitted where:

1. The sequential and, where appropriate, exception tests as detailed in 'Technical Guidance to the National Planning Policy Framework have been

applied and passed and the proposal is a development form compatible with the level of risk;

2. For all sources of flood risk, it can be demonstrated through a site specific Flood Risk Assessment (FRA) that the proposal would, where practicable, reduce flood risk both to and from the development or at least be risk neutral; and
3. Appropriate flood resilient and resistant design, and mitigation and adaptation measures are included in order to reduce any level of risk identified through a site specific FRA to acceptable levels.

104. Paragraph 170 of the NPPF provides that inappropriate development in areas at high risk of flooding should be avoided by directing development away from areas at highest risk.

105. The NPPF provides at paragraph 181 and Footnote 63 that a site-specific Flood Risk Assessment (FRA) is required for proposals of 1ha or greater in Flood Zone 1, all proposals for development in Flood Zones 2 and 3, or in an area within Flood Zone 1 that has critical drainage problems (as notified to the local planning authority by the EA).

106. The FRA will identify and assess the risks of all forms of flooding to and from the development and, if necessary, demonstrate how these flood risks will be managed so that the development remains safe throughout its lifetime, taking climate change into account.

107. Paragraphs 173 and 174 of the NPPF provide that a sequential risk-based approach should be taken to individual applications in areas known to be at risk of any form of flooding. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas at with a lower risk of flooding. The strategic FRA will provide the basis for applying this test.

108. Paragraph 175 of the NPPF provides that the sequential test should be used in areas known to be at risk now and in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no development within the site boundary would be at risk of flooding from any source.

109. Paragraph 177 of the NPPF provides that, having applied the sequential test, if it is not possible for development to be located in areas with a lower risk of flooding, the exception test should be applied depending on the potential vulnerability of the site in line with the Flood Risk Vulnerability Classification in Annex 3 of the NPPF.

110. Paragraphs 178 and 179 of the NPPF states that the exception test should be informed by a strategic flood risk assessment. To pass the exception test it should be demonstrated that:

- a) The development would provide wider sustainability benefits to the community that outweigh the flood risk; and

- b) The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the exception test should be satisfied for development to be permitted.

111. Paragraph 181 of the NPPF provides that development should only be allowed in areas at risk of flooding where, in the light of a flood risk assessment (and the sequential and exception tests, as applicable), it can be demonstrated that:

- a) Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there is an overriding reason to prefer a different location;
- b) The development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) It incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) Any residual risk can be safely managed; and
- e) Safe access and escape routes are included where appropriate, as part of an agreed emergency action plan.

112. Paragraph 182 of the NPPF provides that applications which could affect drainage on or around the site should incorporate sustainable drainage systems.

113. The planning application is accompanied by a site specific "Flood Risk Assessment and Drainage Strategy". The FRA part of this document records that the site is shown as in Flood Zone 1 (that is an area of very low risk of flooding) on the Environment Agency's Flood Map for Planning. However, there is a low, medium and high risk surface water flood flow path through the western half of the site (i.e. between 1 in 1000 and 1 in 100, between 1 in 100 and 1 in 30 and more than 1 in 30 chances of flooding each year respectively). There is also a spring and a permanently wet area of land towards the southwest corner of the site.

114. The FRA includes a Surface Water Hydraulic Modelling Report. This shows that through the northwest of the site the flow path is modelled to be shallow, typically less than 0.10m, ranging in width from approximately 5-20m. In the centre of the site the flow path becomes more concentrated within a slight valley in the local topography that directs the flow path southwest towards the stream on the western site boundary, with peak depths in this area typically around 0.15m. In the southwest corner where the flow path joins the stream, depths of approximately 0.25m are predicted.

115. To increase the developable area of the site, post-development modelling was undertaken to assess the potential impacts of reprofiling ground levels so the overland flow path is diverted along the western boundary, away from the proposed residential development in the centre of the site.

116. The model results demonstrate the reprofiling ground levels so the overland flow path is diverted along the western boundary of the site are not predicted

to have a detrimental impact on flood risk to third party land, with all increases in peak depths contained within the site boundary.

117. The applicant's FRA states that development has been kept out of the wet area in the southwest of the site, and no buildings have been located either between the stream and the wet area, or within 10m of the wet area. Proposed development ground levels will also be approximately 700mm-1000mm higher than existing levels in the southwest of the site post development. The proposed built development will be at low risk of groundwater flooding at the surface. Further mitigation will be provided by setting building floor levels at least 150mm above the existing ground levels and ensuring ground levels fall away from the proposed dwellings.
118. The NPPF requires that climate change should be factored into assessments of flood risk. Therefore, for the proposed development site, the climate change increase predictions that should be applied to the hydraulic model are 35% for the 1 in 30-year rainfall event and 45% for the 1 in 100-year event. The drainage strategy for the development will take the latest climate change predictions into account so that the surface water generated in the 1 in 100-year + 45% rainfall event will be attenuated on site and will not cause flooding locally or to neighbouring areas.
119. The SuDS drainage strategy for the development looks 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. HydroBrake flow control chambers will be incorporated into the design to control discharge to the existing ordinary watercourse that flows along the western boundary of the site to 10.1 l/s for up to the 100 year + 45% climate change critical rainfall event.
120. In the hydraulic design of the surface water drainage strategy, the estimated maximum volume of water in the surface water drainage system based on the critical summary of results for the 100 year + 45% climate change critical rainfall event is around 2970m², and the total volume of storage in the system is around 3610m³. On the basis the drainage strategy has around an additional 640m³ surface water storage capacity for in excess of the 100 year + 45% climate change critical rainfall event, it is proposed details of how the proposed surface water drainage system accommodates a 10% allowance for urban creep is provided at the detailed design stage. The proposal is considered appropriate because the surface water drainage system shows the negligible flooding is managed in the communal soft landscaping areas for the 1 in 100-year + 45% cc critical rainfall event, and an additional approximately 18% surface water storage capacity has been provided in the drainage strategy to account for urban creep and events in excess of the 1 in 100-year + 45% cc critical rainfall event.
121. The Lead Local Flood Authority (LLFA) initially reviewed the applicant's Flood Risk Assessment and Drainage Strategy and raised objection on the following grounds:
 - There is a need for a specific hydrological assessment to demonstrate the diverting flood flows within the site will not lead to a loss of flood storage or increase the risk of flooding to the site and surrounding area
 - Robust evidence should be presented to demonstrate the proposed diversion will not interfere with the development and SUDS features

- The applicant has not demonstrated that surface water will be managed and discharged from the site in accordance with the drainage hierarchy
- The stream on the western site boundary should be clearly presented on the application drawings, including bed and bank levels, and it is not clear that the applicant has rights to do works to this watercourse which should be evidenced
- Evidence must be provided to show the greenfield runoff rate for the site
- On site attenuation of flood flows should be provided for the 1 in 100 year +45% allowance for climate change but the preliminary calculations show flooding will occur
- All SUDS features and flow control devices should be shown on the application drawings
- Exceedance routes that minimise risks to people and property area required for rainfall events in excess of 1 in 100 year + climate change allowance
- The watercourse on the western site boundary should be included in any future maintenance regime.

The applicant has considered these grounds for objection and provided further information in a Technical Note which has led the LLFA to withdraw its objection subject to the imposition of conditions (including pre-commencement conditions) on any planning permission granted.

122. Your officers, however, continue to have a number of unresolved concerns about the applicant's surface water drainage strategy specifically related to potential adverse impacts on The Bogs AW and pSNCI within and adjacent to the site as set out under Key Issue 6 above.

123. The LLFA recommendation on this application is subject to the imposition of a pre-commencement conditions on any planning permission and the applicant's acceptance of this condition remains outstanding. Your officers also have an unanswered question concerns about the maintenance and management regime in perpetuity for the stream and SUDS features and how that regime will be financed which need to be satisfactorily answered and dealt with before planning permission could be granted.

124. Your officers accept, however, that with the exception of continuity of surface water runoff to feed The Bogs, the provisions of the NPPF and Tandridge Local Plan Part 2 Detailed Policies (P2DP) policy DP21(E) are satisfied and this is a matter that attracts neutral weight in the planning balance.

Key issue 10 - foul drainage:

125. Core Strategy policy CSP11 provides that:
"Developers will be required to contribute to improved infrastructure and services (including community needs) necessary to support the proposed development; the Council will generally require such provision to be made before the development is occupied. Planning permission will only be granted for developments which increase the demand for off-site services and infrastructure where sufficient capacity exists or where extra capacity can be provided, if necessary through developer funded contributions."

126. A 75mm diameter foul water gravity public sewer runs south across the site. The low point of the site (around 95.00m AOD at the southwest corner) and the invert level (IL) of Southern Water Manhole 8901 in Wheeler Avenue (99.34 m AOD) confirm that a pumping station will be required for a proportion of the proposed dwellings and the care home to connect to this manhole. The Southern Water (SW) capacity check response states that there 'is currently inadequate capacity within the foul sewerage network' and 'Southern Water has a duty to provide Network capacity from the point of practical connection (point of equivalent or larger diameter pipe) funded by the 'New Infrastructure Charge'.

127. The applicant's "Flood Risk Assessment and Drainage Strategy" states: "Water and Sewerage Companies have a legal obligation under Section 94 of the Water Industry Act 1991 to provide developers with the right to connect to a public sewer regardless of capacity issues. The Strategy has identified the preferred point of foul water connection and the peak foul flow rate from the site, to allow for capacity to be considered by SW and any upgrading work to be programmed if required. The planning authority can make planning permission conditional upon there being in place adequate sewerage facilities to cater for the requirements of the development if required. Such an approach would allow the legal right to connect to be managed prior to implementation."

128. Your officers consider that the information proved by the applicant leaves unanswered questions. What is not clear is whether there is inadequate capacity in the foul sewer for any part of the proposed development to be connected, or whether some development could be connected then occupied before all capacity was used up. A letter provided from Southern Water refers to:

"The proposed development would increase flows to the public sewerage system which may increase the risk of flooding to existing properties and land."

The letter also refers to capacity to connect drainage for 50 dwellings to the current sewage system as assessed in June 2024 but this information could only be relied upon for 12 months. The Southern Water letter further states that:

"Southern Water has a duty to provide Network capacity from the point of practical connection (point of equivalent or larger diameter pipe) funded by the New Infrastructure Charge. Southern Water aim to provide this within 24 months following the date that planning has been granted for developments not identified as strategic sites in our current business plan. Strategic sites are larger developments and will often take longer than 24 months for a full solution to be provided."

Clarification is therefore required (and has been sought) whether the proposed development is a 'strategic site' for Southern Water purposes in which case there would be uncertainty when a foul drainage connection would be available. Your officers have raised all these points of uncertainty with the applicant and further information is awaited.

129. The outstanding information is important to drafting a planning condition or conditions in any planning permission to control how much, if any, development might be occupied before foul sewer capacity was increased. It is also important to determining if the proposed development is deliverable within a reasonable timescale (that is within 3 or 5 years of grant of planning permission) given that an outline permission is sought by the

applicant. The ES submitted with the application states at paragraph 6.7.4 that the development will be constructed between 2026 and 2030 and will be fully operational by 2030 but this could be made unachievable if foul sewer capacity cannot be provided by then to service the development. Without this assurance on deliverability, the provision of market and affordable housing could only be given limited not significant weight in the planning balance.

130. Your officers consider that, as matters stand, with uncertainty over when a foul drainage connection might be achievable the proposed development is contrary to Core Strategy policy CSP11 and this is a matter that attracts moderate weight against the grant of planning permission in the planning balance. If the current uncertainty can be overcome then this objection to the proposed development would fall away. Ensuring the provision of a foul drainage connection for the development could then be dealt with by way of a planning condition.

Key issue 11- whether the site contains best and most versatile agricultural land:

131. The National Planning Policy Framework (NPPF) (2024), paragraph 187 provides that planning policies and decisions should contribute to and enhance the natural and local environment by, *inter alia*, recognising “the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land”. The best and most versatile (BMV) agricultural land is defined in Annex 2 of the NPPF as land, which is of Grade 1, 2 and Subgrade 3a of the Agricultural Land Classification (ALC). Footnote 67 of the NPPF advises that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality.

132. The planning application when submitted was accompanied by a desk-based agricultural land quality assessment of the site. Based on the findings of this assessment the applicant’s Planning and Affordable Housing Statement’s overall conclusion with respect to loss of agricultural land was:

“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’.”

133. Your officers considered given the size of the site (9.7 ha) that this was a significant agricultural resource as well as being a significant countryside and biodiversity resource. The site is in good condition agriculturally and has been continuously cropped over the years with cereals and sweetcorn. A full field assessment of agricultural land quality was therefore required from the applicant.

134. The detailed ALC undertaken shows that the site is wholly Grade 3a and is therefore BMV agricultural land.

135. The submitted ALC Report setting out the results of the ALC seeks to provide a context for assessing the significance of the ALC in terms of loss of an agricultural resource. The report notes that there is no definition in the NPPF of what constitutes “significant” development as referred to in Footnote 67 of the NPPF. Your officers note that the Town and Country Planning (Development Management Procedure (England) Order) (DMPO) 2015

requires that planning authorities must consult Natural England on all non-agricultural applications that result in the loss of more than 20 hectares (ha) of BMV land if the land is not included in a development plan. The “Guide to assessing development proposals on agricultural land” (Natural England, February 2021)” advises local planning authorities to:

“Use ALC survey data to assess the loss of land or quality of land from a proposed development. You should take account of smaller losses (under 20ha) if they’re significant when making your decision. Your decision should avoid unnecessary loss of BMV land.”

136. The authors of the ALC Report suggest that 20ha is a suitable threshold for defining “significant” in many cases. The inference of the report is that the loss to agriculture of the 9.7 hectares of BMV agricultural land contained in the application is not significant. However, this inference contradicts the Natural England advice to planning authorities quoted above that they should take account of smaller losses (under 20 ha) if they are significant.
137. Your officers further disagree with that inference in the ALC Report. Paragraph 187b) of the NPPF relates to planning policies and decisions. Planning policies in this context would include the identification of sites suitable for housing allocations which could be over 20 ha. The ALC Report appears to accept this position as well and paragraph 4.1 states “In plan making terms the NPPF requires that, where significant development of agricultural land is involved, poorer quality land should be used in preference”. Your officer’s interpretation of the provisions of the “Guide to assessing development proposals on agricultural land” (Natural England, February 2021)” is that local planning authorities should take account of smaller losses of agricultural land under 20 ha if they are considered significant in making development management decisions on individual applications such as this one.
138. The ALC Report also refers somewhat contradictorily to the Institute of Environmental Management and Assessment (IEMA) Guide “A New Perspective on Land and Soil in Environment Impact Assessment” of February 2022. The Guide identifies in table 3 (page 49) the magnitude of the impacts on soil resources. Losses of under 5ha is defined as minor magnitude losses. Losses of between 5 – 20 ha are classified as moderate losses. Losses of over 20ha is considered to be major losses. This is different terminology to that in the NPPF and the “Guide to assessing development proposals on agricultural land” (Natural England, February 2021)” and is not national policy or guidance.
139. Footnote 65 of the NPPF refers to areas of poorer quality agricultural land being preferred to those of higher quality where significant development of agricultural land is demonstrated to be necessary. The ALC Report’s conclusions on this point are set as follows:

“4.32 The Site itself comprises Subgrade 3a land quality. In the event that there was a need to consider whether poorer land is available, based on the provisional and predictive mapping it cannot be concluded that land further afield is not of a poorer land quality. However, it cannot be determined that there is land within immediate proximity of the Site that is of poorer land quality than the Proposed Development Site.

4.33 Nevertheless, this Proposed Development Site is not classified as significant development and therefore whether there is poorer quality land within the area does not need to be assessed.”

Your officers conclude that the ALC Report has not shown that there is not poorer quality land available for the same development elsewhere.

140. The ES prepared for the application considered the economic impact of the development in terms of the loss of agricultural land and concluded:

“6.7.13 The closure of the field will result in the eventual loss of jobs associated with the Site. The current employment of the Site is estimated to be 0.3 FTE.

6.7.14 This constitutes a negligible magnitude impact, likely to result in a negligible effect which is anticipated to be not significant.”

In terms of the economic impact of the loss of agricultural land, the ES concludes:

“6.7.57 The closure of the arable field will result in the loss of jobs associated with the Site, which currently has an estimated FTE of 0.3.”

Taking this conclusion into account in the overall assessment of the economic effects of the proposed development, the ES concludes:

“6.7.60 The sensitivity of local economy, employment and skills has been assessed as low. The above constitutes a minor magnitude impact, likely to result in a minor beneficial effect which is anticipated to be not significant.”

141. The ALC Report does include an assessment of the economic benefits of the site. The preface to this section of the report states:

“4.4 In the absence of any empirical data, an economic assessment is inevitably crude.”

The results of the assessment set out in the ES and the ALC Report lack meaningful context. There is no information relating to the wider agricultural holding of which the site forms part, how large and agriculturally diverse is that holding and the implications of the loss of the site to the continued economic viability of the agricultural enterprise that farms the land. Whatever, the economic benefit of the site may be, its loss as BMV to the agricultural economy would negate at least part of the wider economic benefits that the applicant considers will arise from the proposed housing development.

142. The overall conclusion of the Report (para 4.35) is that “At approximately 9.7ha of BMV land the Site is under 50% of the threshold for consultation with Natural England. Therefore, the quantum of BMV is not significant.” Your officer’s conclusion is that the loss of this 9.7ha site consisting of Grade 3a land is significant both in economic terms and sustaining the health and well-being of the countryside and supporting biodiversity. This is a consideration that attracts moderate weight against the development proposals in the overall planning balance.

Key issue 12: use and enjoyment of Public Bridleway 97:

Application 2022/1161; Application 2022/1658; Application 2022/267; Application 2022/1523; Application 2024/1389; Application 2024/ 1393.

143. Paragraph 96(c) of the NPPF provides that planning decisions should aim to achieve, healthy, inclusive and safe places which enable and support healthy lives. Paragraph 105 of the NPPF provides that planning decisions should protect and enhance public rights of way and access. Core Strategy policy CSP13 (Community, Sport and Recreation Facilities/ Services) seeks the protection and where possible enhancement of the public rights of way network.

144. The benefits of the bridleway to local residents and users of the countryside in the vicinity are set out in the section on valued landscape.

145. The Framework Masterplan in the Design and Access Statement identifies how the bridleway could be integrated into the development, as follows:

- Existing public right of way – safeguarded within a green corridor where new trees can be planted along the full length of the route;
- Vehicle crossings of bridleway – limited as much as possible, and where located priority to be given to pedestrians through narrowing of road and alternative surface treatment;
- Built frontage – concentrated along the bridleway route and in some locations opportunities for parking to be provided to the rear or side of dwellings – so homes and front doors can directly access the footpath rather than being separated by a road.

The Framework Masterplan shows a connection between the bridleway and Barrow Green Road at the junction of that road and Chalkpit Lane which is missing from later application drawings and is not therefore to be provided.

146. The change in the character of the bridleway and loss of the countryside experience and dramatic views of the National Landscape it provides are referred to in many of the public representations, including that from the Surrey Hills AONB Management Board, commenting on the planning application. The local representative of the British Horse Society has submitted a representation as follows:

“The field under consideration has a Bridleway crossing it diagonally (BW97). This is much used by equestrians, cyclists and walkers and is a pleasant rural path ,the ambience of which would be completely ruined if it ended up in the centre of a housing estate. For many years I rode from Tandridge Priory Stables and this path was (and is) used on a daily basis as part of circular rides.”

The Surrey Countryside Access Forum also objects to the application for the following reasons:

“The field (Stoney Field) under consideration has a Bridleway crossing it diagonally (BW97). This is much used by equestrians, walkers and cyclists. It is a pleasant rural path, with direct communication and forming the opportunity of a circular route, The ambience and character of this path / route, which is used by many, would be completely ruined if it ended up inside and dominated by a housing estate. Concurrently, the surrounding countryside would also be completely ruined with adverse impacts on the environment, wildlife etc etc; all of which contribute to the interest of this PRoW.”

Your officers consider that the major adverse effect the proposed development would have for users of public bridleway 97 would not just be limited to the loss of views of the National Landscape, identified in the applicant's LVIA, but the loss of experience of open countryside that is a valued landscape and the health and well-being benefits the bridleway provides for existing Oxted residents. The proposed development is consequently contrary to Core Strategy policy CSP13. These are matters to be given significant weight against the development proposals in the overall planning balance.

Key issue 13: impact on character and appearance and amenities of local residents

147. The NPPF at paragraph 131 provides that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
148. The NPPF at paragraph 135 provides that planning decisions should ensure that developments:
 - a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁵¹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
149. Core Strategy policy CSP18 seeks to ensure that developments respect local character, setting and context. Policy CSP20 further states that the character and distinctiveness of the District's landscapes and countryside will be protected and new development will be required to conserve and enhance landscape character. Policy DP7 is a general policy which requires that development is appropriate to the character of the area.
150. The applicant's Planning and Affordable Housing Statement states that a landscape-led approach has been taken to the masterplan design, taking careful consideration of the relationship between the edges of 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.

151. The DAS refers to the Illustrative Masterplan having evolved from a detailed analysis of the Site's character, opportunities and constraints. This has resulted in the Illustrative Masterplan proposing the following principal 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 bridleway 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 bridleway 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.

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.

152. 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.
153. However, your officers consider that the information submitted with the application failed to recognise the need for more information on the scale and layout of the proposed development at this outline application stage. This is a visually sensitive site in the Green Belt and therefore in the open countryside which is a valued landscape and forms part of the setting of the National Landscape. If more information had been provided with the application, particularly relating to scale and layout as requested by the Council, then some of the anticipated adverse effects of the development could have been avoided.
154. The applicant's ES concludes that the completed development will have a major adverse visual effect at site level due to the introduction of built form onto open agricultural land. There will be a minor neutral effect on landscaped features (the retained trees and The Bogs). The character of the wider area will experience a minor adverse effect, noting that the proposed development would not be uncharacteristic of the receiving townscape to the east and south.
155. Your officers agree with the ES assessment that the completed development will have a major adverse visual effect at site level. An attractive and valued piece of open countryside will be permanently lost. The development will not be seen as an extension of the urban area of Oxted which is largely screened from the site and its immediate surroundings by woodland and trees and hedgerows along the boundaries of the site. Instead, the development will be seen as an isolated residential development in open countryside with the resultant urbanisation having a major adverse effect on the character and appearance of the wider open countryside.
156. Your officers consider, however, that while there will be some adverse impact on the amenities of local residents, mainly due to increased vehicle and pedestrian movements along the Wheeler Avenue access to the site, these impacts will be localised.
157. In conclusion, your officers consider that the proposed development is contrary to paragraph 135 of the NPPF because the development will not add to the overall quality of the area over the lifetime of the development and will not be sympathetic to local character in terms of landscape setting. The adverse impacts on the character and appearance of the open countryside adjacent to the site mean that the proposed development is contrary to development plan policies CSP18 and DP7. Once again, it is noted that the applicant concludes that the requirements of development plan policy CSP21 are not met, 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. These adverse impacts on the character and appearance of the area

constitute other planning harm to be given moderate weight against the development proposal in the planning balance.

Key issue 14 - highway safety

158. Paragraph 116 of the NPPF December 2024 states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.' Policy CSP12 of the Core Strategy advises that new development proposals should have regard to adopted highway design standards and vehicle/other parking standards. Criterion 3 of Policy DP7 of the Local Plan also requires new development to have regard to adopted parking standards and Policy DP5 seek to ensure that development does not impact highway safety.
159. The County Highway Authority (CHA) raises no highway objection to the application, subject to the imposition of conditions on any permission, including construction access from Barrow Green Road only, the access from Wheeler Avenue serving no more than 60 of the proposed houses, and to the applicant agreeing to providing a financial contribution to the legal procedures for extending the current 30MPH speed limit on Barrow Green Road, or alternatively funding speed reduction measures on that road.
160. The CHA's proposed conditions include pre-commencement conditions and the applicant's confirmation of acceptance of the need for these conditions remains outstanding and, subject to that confirmation being received, highway safety considerations attract neutral weight in the planning balance.

Key issue 15 -sustainability

161. Paragraph 110 of the NPPF provides that significant development should be focused on locations which are or can be made sustainable and that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Paragraph 115 of the NPPF provides that it should be ensured safe and suitable access to the site can be achieved for all users.
162. Policy CSP1 of the Core Strategy seeks to promote sustainable patterns of travel and to make the best use of previously developed land. As such, it sets out that development will take place within the existing built up areas of the District and be located where there is a choice of mode of transport available and where the distance to travel to services is minimised. Policy DP1 of the Local Plan sets out the Council's positive approach to sustainable development and reflects the provisions of the NPPF with respect to sustainable development. Policy CSP14 (Sustainable Construction) of the Core Strategy sets a requirement to reach a minimum 20% saving in CO2 emissions through the incorporation of on-site renewable energy.
163. The Planning and Affordable Housing Statement sets out at Sections 5 and 6 a number of reasons why the proposed development is considered sustainable, as follows:
 - The Site is accepted by your officers as a sustainable location (as evidenced by the 2018 HELAA process, and the conclusion that it is in accordance with the preferred strategy)
 - The application site is an accessible location

- In highway terms the application site is a sustainable location
- The site is within safe and convenient walking access to local services and facilities.
- The improvements to walking and cycling infrastructure will support active travel
- Collectively the ‘fabric first’ and renewable energy measures to be incorporated in the proposed houses generate a 77.9% reduction in CO2 emissions that exceeds the Development Plan policy requirement
- There are no landscape designations affecting the site
- Use of low quality agricultural land for the development and its associated Green Infrastructure.

164. Your officers have a number of reservations concerning the applicant's analysis why the proposed development is sustainable. The site is close to the urban area of Oxted and an accessible location along certain routes from the town both for car users, pedestrians and cyclists. However, there are also accessibility limitations. The Barrow Green Road access is poor in not providing for pedestrians or cyclists. There are no existing footways along the road from the proposed site access and Barrow Green Road here has challenges for pedestrians because of its horizontal and vertical alignment, lack of forward visibility in key places for drivers and lack of pedestrian refuges off the carriageway. A short walk along Barrow Green Road from the site may have attractions because it represents a shorter walk to St Mary's Primary School than alternative routes.

165. Your officer's consider that, within the overall planning balance, moderate weight should be given to the sustainability of the proposed development.

Key issue 16 – conclusions and planning balance:

166. Section 7 of the applicant's Planning and Affordable Housing Statement sets out the applicant's assessment of the weighting to be afforded to benefits or adverse impacts of the proposed development in the planning balance, as follows:

- i) Adverse impacts: policy conflicts in terms of localised landscape change and loss of countryside and agricultural land- limited weight;
- ii) Benefits: provision of market and affordable housing and extra care facility – very significant weight;
- iii) Benefit: provision of housing in a sustainable location – moderate weight;
- iv) Benefit: Delivery green space and improved public rights of way network – moderate weight;
- v) Benefits: economic benefits of creation of jobs during the construction phase and increased spend during the operational phase – moderate weight;
- vi) Benefits: environmental and biodiversity enhancements – moderate weight; and
- vii) Benefit: compliance with “Golden Rules” (NPPF paragraph 156) – significant weight.

Your officers agree that the applicant has identified the scope of benefits of the proposed development (although not necessarily agreeing that all of them are relevant or with the weighting ascribed to these benefits as will be set out below).

167. The overall compliance or conflict of the proposed development with development plan policies also needs to be taken into consideration. The consideration of key issues above has led to the following conclusions relating to either compliance or non-compliance with development plan policy:

A) Compliance with development plan policy:

The development proposals are in compliance with development plan policy with respect to the following policies:

- DP19 biodiversity net gain
- DP21(E) surface water flood risk
- DP7 highway safety
- CSP1 and DP1 sustainability

B) Non-compliance with development plan policy:

The development proposals are not compliant with development plan policy with respect to the following policies:

- CSP8 for extra car accommodation; the application lacks essential information and cannot be said to be compliant with this policy
- DP10 there is definitional, spatial and visual harm to the Green Belt and the development is in conflict with Green Belt purposes a) and c)
- CSP21 the development does not conserve and enhance a valued landscape
- CSP18 because the proposed development would not reflect and respect the character, setting and local context of the area in which it is situated
- CSP20 the proposed development would have an adverse impact on views into and out of the Surrey Hills National Landscape and therefore on its setting
- CSP17 and DP19 in the absence of information to demonstrate to the contrary, there will be a loss or deterioration of The Bogs AW
- DP20 because the less than significant harm to listed buildings caused by the proposed development would not be outweighed by benefits of the proposed development
- CSP11 given the uncertainty whether an adequate connection can be made to the foul sewage system
- CSP18 and DP7 the proposed development would not add to the overall quality of the area but would rather have adverse impacts on its character and appearance
- CSP13 adverse impacts for users of Bridleway 97 crossing the site.

Considered overall, the proposed development is non-compliant with the policies of the development plan.

168. Throughout this report in considering each key issue an assessment has been given of the weight to be afforded to each issue in the planning balance, as follows:

Proposed benefits of the application:

- i) market and affordable housing – significant
- ii) extra care accommodation – limited
- iii) biodiversity net gain – limited
- iv) foul drainage provision – moderate
- v) highways – neutral
- vi) sustainability – limited
- vii) green space – limited
- viii) economic – limited

ix) sustainable drainage - limited

Harm that will be caused:

- i) harm to the setting of the National Landscape – great
- ii) harm to the Green Belt- substantial
- iii) harm to the The Bogs AW and pSNCI – substantial
- iv) harm to a valued landscape – substantial
- v) harm to users of Bridleway 97 – significant
- vi) harm to character and appearance of the local area – moderate
- vii) harm to significance of heritage assets – moderate
- viii) harm due to loss of BMV agricultural land – moderate

168. Your officer's assessment of whether the application site should be considered Green Belt not Grey Belt is set out in Key Issue 2 above. The site contributes strongly to Green Belt purpose a), that is checking the unrestricted sprawl of a large built-up area, and, in consequence, is Green Belt. The applicant at paragraph 6.131 of the Planning and Affordable Housing Statement accepts that, in these circumstances, the site also contributes to Green Belt purpose c), that is safeguarding the countryside from encroachment. Accordingly, the application proposals for residential development constitute inappropriate development that would cause harm to openness by way of visual and spatial harm, and also definitional harm to the Green Belt. In accordance with paragraph 153 of the NPPF and Tandridge Local Plan Part 2: Detailed Policies policy DP10, substantial weight has to be given to Green Belt harm, in the determination of this application. Development harmful to the Green Belt should not be approved except in very special circumstances (VSC).

169. Throughout the consideration of the Key Issues raised by this application, your officers have applied the weightings set out in paragraph 25 above to each issue to derive the benefits and harm that would arise if the development was implemented, as summarised in paragraph 168 above. The proposed benefits of the application in the applicant's submissions constitute the VSC why the application should be approved. The most significant of these VSC's is the provision of market and affordable housing in circumstances where the Council cannot demonstrate a five year housing land supply.

170. Set against these VSC's are the identified harm to the Green Belt and other harm that would arise from the development. There are major policy constraints in the district. It is 94% Green Belt, there are two National Landscapes which are the Surrey Hills and High Weald, flooding affects much of the district and there are also major infrastructure capacity constraints. Your officer's assessment is that given the constrained nature of the site as discussed in this report, the harms resulting from the proposed development outweigh the benefits, and the VSC for the granting planning permission do not exist. This is a similar conclusion to that of the inspector examining the now withdrawn Local Plan who said: "It is clear to me that there are specific policies of the Framework which indicate that development should be restricted in Tandridge and that in principle, the Plan would be sound in not meeting the OAN in full" (Inspector's final report - Annex 1 ID-16 para 44). Although there is now a new NPPF, these constraints remain relevant in the determination of planning applications in the District.

171. Paragraph 11(d)(i) of the NPPF provides that where development plan policies for determining an application are out of date, planning permission

should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provide a strong reason for refusing the development proposed. With this application, those policies protecting areas or assets of particular importance are those relating to Green Belt, the setting of the Surrey Hills National Landscape, an irreplaceable habitat (The Bogs AW) and a Grade 1 listed building (St Mary's Church) and a Grade II listed building (Court Farm House). In your officers' view, the application of those policies does provide a strong reason for refusing planning permission for the proposed development. The tilted balance (para. 11(d)(ii) of the NPPF) does not apply in the determination of this application, therefore.

172. Your officers have raised a number of questions relating to various aspects of the application with the applicant a response to which is still outstanding, as follows:

- i) Change to the mix and internal layout of affordable housing, affordable house design to be tenure blind and, in the event of phased development, there should be 50% affordable housing in each phase ;
- ii) Timescale for a new foul drainage sewer connection to the site;
- iii) Maintenance of surface water inflows to The Bogs;
- iv) Funding mechanism for maintenance of SuDS features of the proposed development;
- v) Diversion of Bridleway 97 junction with Barrow Green Road to the junction at the foot of Chalkpit Lane;
- vi) Whether new statutory PRoW are part of the development proposals; and
- vii) Whether the applicant is prepared to accept the "prior to development commencing" conditions requested by the County Highway Authority.

There are also requests for further information from Natural England and Surrey Wildlife Trust to address significant concerns they have about the development proposals. These outstanding matters might be capable of being resolved by submission by the applicant of further information or through planning conditions or Section 106 obligations. However, as the matters remain outstanding, for the purposes of the planning balance they technically attract limited weight against a grant of planning permission.

173. One other matter remains unresolved and that is the applicant's right to connect the southern point of vehicular and pedestrian access to the development to the existing public highway in Wheeler Avenue. The section of land required to make the connection is outside the red lined application site boundary. The applicant claims that the proposed highway connection can be made because that section of land is dedicated highway land. The Council has sought counsel's advice on whether the section of land is, or is not, dedicated highway land. Counsel's advice is that, based on the evidence currently available, it is not possible to properly conclude whether highway rights extend over that section of land. This is something that requires further exchanges of evidence between the Council and the applicant to resolve the matter.

174. Based on the consideration of all the matters set out above, your officers conclude that planning permission should **BE REFUSED** under delegated powers on the following grounds:

- 1) The proposed residential development represents inappropriate development in the Green Belt that would result in definitional harm and significant harm to openness both spatially and visually. The proposed development would also result in significant other planning harm. The Green Belt harm and other planning harm is not clearly outweighed by the benefits of the proposal (nor by any other material consideration(s)), such that very special circumstances do not exist. As such, the proposed development is contrary to paragraph 153 of the NPPF and Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP10.
- 2) The application site is sensitive being in the setting of the Surrey Hills National Landscape. The proposed development would adversely impact upon the character and distinctiveness of the landscape and countryside of the site and wider area and significantly detract from the overall character and appearance of the area and thereby the setting of the National Landscape. As such, the proposed development is contrary to the provisions of NPPF paragraph 189 and Core Strategy Policies CSP20 and CSP21 and Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP7.
- 3) The current proposal by Natural England to include the application site in the Surrey Hills National Landscape, based on advice of expert landscape consultants, has reached an advanced stage and is now a material planning consideration in the determination of this planning application. A grant of planning permission that would nullify this proposal would be unjustified. Planning permission should not be granted for development such as now proposed that would prejudice the outcome of the proposal to include the site in the National Landscape and damage an environmental asset contrary to Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP7.
- 4) The applicant has not demonstrated that the proposed development, and in particular the outline drainage proposals, will not result in the loss or deterioration of an irreplaceable habitat both on-site and off-site, that is The Bogs ancient woodland, within and adjoining the site boundary. This is contrary to NPPF 2024 paragraph 193 (c) which requires that such development should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. The proposal is also contrary to Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP7 which requires that proposals protect and, where opportunities exist, enhance valuable environmental assets. The proposal is similarly contrary to Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP19 which provides that where a proposal is likely to result in direct or indirect harm to an irreplaceable environmental asset of the highest designation, such as ancient woodland, the granting of planning permission will be wholly exceptional, and in the case of ancient woodland exceptions will only be made where the need for and benefits of the development in that location clearly outweigh the loss, and that impact or loss should not just be mitigated but overall ecological benefits should be delivered.
- 5) The information provided with the application is insufficient to show that there will not be adverse impacts on biodiversity as a result of the proposed development contrary to the provisions of paragraphs 187 and 193 of the NPPF and Tandridge Local Plan Core Strategy policy CSP17 and Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP19.

- 6) The proposed development would cause less than substantial harm to the setting of St Mary's Church, a Grade I listed building, and Court Farm House a Grade II listed building and is thereby contrary to paragraph 215 of the NPPF and Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP20 because it has not been satisfactorily demonstrated that the public benefits of the development would outweigh that harm.
- 7) The proposed development would lead to the loss of a significant area of best and most versatile agricultural land contrary to the provisions of NPPF paragraph 187 b).
- 8) The proposed development would have a major adverse effect for users of public bridleway 97 which would not just be limited to the loss of views of the National Landscape but the degradation and loss of experience of open countryside that is a valued landscape and an important recreational and well-being resource for local residents, contrary to policies 96(c) and 105 of the NPPF and Tandridge Local Plan Core Strategy policy CSP13.
- 9) The harm that would arise to the Green Belt, the setting of the National Landscape, open countryside and Bridleway 97, and potentially biodiversity, from the development proposals makes the development unsustainable in the context of paragraph 8(c) of the NPPF and Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP1.

This decision relates to drawings numbered and titled, as follows:

- vi) Location Plan No.3129-A-1000-PL-A.
- vii) Land Use Parameter Plan No.3129-A-1200-PL-D.
- viii) Site Access Barrow Green Road Drawing 107491 PEF XX XX D H 0300 Rev P01 (in Appendix C to Transport Assessment).
- ix) Site Access Wheeler Avenue Drawing 107491-PEF-XX-XX-DR-H-0200 Rev P01 (in Appendix C to Transport Assessment).
- x) Refuse Access Barrow Green Road Drawing 107491 PEF XX XX D H 0300 Rev P01 (in Appendix C to Transport Assessment).

	Signed	Dated
Case Officer	CT	15/08/2025
Checked ENF		
Final Check	PB	15/08/2025

From: Robert Hutchinson <Robert.Hutchinson@surreywt.org.uk>
Sent: 14 August 2025 16:44
To: Cliff Thurlow; Statutory
Cc: Lidia Harrison
Subject: 2025/245 - Land South Of Barrow Green Road Oxted,
Attachments: 250814_387531-001-RH_Land South of Barrow_2025-245_RH.pdf

Hi Cliff

Please see attached.

Happy to discuss, if required.

Best regards

Rob



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Date: 13/08/2025

Our reference: 387531-001-RH

By email: statutory@tandridge.gov.uk



Surrey
Wildlife Trust

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surreywildlifetrust.org/epas

Dear Cliff

Planning reference: 2025/245

Proposals: 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

Site Address: Land South Of Barrow Green Road Oxted,

Thank you for consulting with Surrey Wildlife Trust with regards to the above planning application. Our advice is restricted to ecological issues and does not prejudice further representation Surrey Wildlife Trust may make as a non-statutory organisation on related, or other, issues. We do not comment on whether a planning application should be granted or refused, but rather provide a technical review of the ecological information that has been submitted to ensure that all ecological aspects have been appropriately considered prior to determination or discharging of conditions.

The Local Planning Authority (LPA) has a duty to conserve biodiversity in line with the planning and legislative context. Relevant legislation and planning policies are detailed in Appendix 1. We have reviewed the relevant application documents submitted on the planning portal, and other relevant publicly available information, and assessed these against published best practice guidance to determine whether the submitted information was sufficient for the LPA to assess the planning application. Following this, we assessed the proposals against relevant legislation and planning policy and recommended an appropriate course of action to ensure that the LPA is fulfilling its duty to conserve biodiversity.

Our advice and recommendations are detailed below. This consultation response is valid for one year. Should further project information or amended designs be provided or submitted to the planning portal we may need to update our response accordingly.

General

The LPA may wish to consult with Natural England on the matter of Statutory Designated Sites. To include Woldingham & Oxted Downs Site of Special Scientific Interest, which is approximately 1km north of the application site.



The Bogs pSNCI and Ancient Woodland

Context

The Preliminary Ecological Appraisal (Ecology Partnership, December 2024) details the presence of 'The Bogs' potential Site of Nature Conservation Importance (pSNCI). The Ecology Partnership state that this is "...located adjacent to the south-west of the site".

Section 3.4 of the Preliminary Ecological Appraisal (Ecology Partnership, December 2024) states that there are numerous ancient woodland parcels surrounding the application site to include "...a c2.2ha area adjacent to the southern boundary".

Section 3.4 of the Preliminary Ecological Appraisal (Ecology Partnership, December 2024) details the presence of priority deciduous woodland parcels "...an area which overlaps the southern site boundary". Ecology Partnership has recorded priority wet woodland in the south of the application site. The location of these habitats is shown in Appendix 2 Habitat Map.

Chapter 19 of the Tandridge Local Plan Part 2: 2014 -2029 (Adopted Version July 2014) states of pSNCIs that "*The Council will undertake a review of these sites in due course. The policy will be applied to existing SNCIs, pSNCIs and, following a review, to any retained or new sites. Potential SNCIs are not protected sites but may have the potential to be so; however because of access or ownership issues they have not been surveyed. Applications affecting a pSNCI will normally allow the potential of the site to be assessed*".

Policy DP19: Biodiversity, Geological Conservation & Green Infrastructure is relevant for the pSNCI, the ancient woodland, the wet woodland and the lowland mixed deciduous woodland.

The allocation of 'The Bogs' as a pSNCI is based upon a status survey carried out by Surrey Wildlife Trust on the 3rd May 2007. The recommended boundaries and extent of the pSNCI is provided in a map within the status survey report. This recommended boundary does match the mapping shown on the Tandridge District Council Planning Policies Map¹.

The recommendation was made in 2007 due to the presence of wet woodland and up to fourteen ancient woodland indicator species. An online search of the Natura England Ancient Woodland Inventory shows that approximately 2.2ha of 'The Bogs' is identified as being ancient and semi-natural woodland. The Natural England Ancient Woodland Inventory mapping does match the information supplied in Section 3.5 of the Preliminary Ecological Appraisal (Ecology Partnership, December 2024). Therefore the online mapping evidence is that the ancient and semi-natural woodland does not cover the whole area of 'The Bogs SNCI'.

pSNCI Extent

The Environmental Statement Volume 2 – Chapter 10: Ecology states in Table 10.4 that 'The Bogs' pSNCI is adjacent to the south-west boundary and that it is assumed to be proposed for selection as an SNCI due to the ancient / wet woodland habitat.

The red line boundary of the proposed development along the southern boundary mirrors the route of a watercourse. There are pockets of habitat, which has been identified by the Ecology Partnership as being priority wet woodland and priority deciduous woodland, north and east of this watercourse 'Other rivers and streams' in Appendix 2: Habitat Map'. This area of wet woodland and the strip of deciduous woodland on the southern boundary of the application site are within the boundaries and extent of the proposed pSNCI. **Therefore based upon the boundaries and extent of the pSNCI, 'The Bogs' is located within the application site.**

¹ [Tandridge District Council Planning Policies](#)'



The Preliminary Ecological Appraisal (Ecology Partnership, December 2024), the Environmental Statement Volume 2 – Chapter 10: Ecology and the overall proposal submission is therefore not based upon the proposed boundary of ‘The Bogs’ pSNCI.

Therefore the Preliminary Ecological Appraisal (Ecology Partnership, December 2024), the Environmental Statement Volume 2 – Chapter 10: Ecology (and the arboricultural submission) has not assessed the proposal against the full extent of the pSNCI.

Impact upon the Bogs pSNCI and the Priority Wet Woodland

In this section, where we refer to ‘wet woodland’ it is in reference to the wet woodland within ‘The Bogs’ pSNCI south of the watercourse and the priority wet woodland identified north of the watercourse (which is located within the red line boundary but still within the pSNCI).

The priority wet woodland within the ‘The Bogs’ pSNCI south of the watercourse is part of the ancient & semi-natural woodland shown on the Natural England Ancient Woodland Inventory.

However the priority wet woodland north of the watercourse is not within the Natural England Ancient Woodland Inventory and has not been assessed by the Ecology Partnership or Temple as being ancient & semi-natural woodland. Further review of this matter is provided under the sub-section ‘Biodiversity Net Gain – Irreplaceable Habitats’ of this consultation.

The presence of the priority wet woodland north of the watercourse, within the red line boundary and within the pSNCI, remains a material consideration in the determination of the planning application. Habitats listed under Section 41 of the Natural Environment and Rural Communities Act (2006) are known as Habitats of Principal Importance ‘or Priority Habitats’.

The Oxted and Limpsfield Residents Group has engaged Hydro-GIS Ltd² to advise them on a review of the flood risk. Given that the author of this consultation is not a qualified hydrologist, we have also sought the advice of Hydro-GIS Ltd in the preparation of this consultation.

Hydro-GIS Ltd³ state a conclusion that:

- *“There is a brief discussion in the Hydraulic Modelling Report of how the proposed changes will impact the areas surrounding the site, including The Bogs. However, the result shows a reduction in flood levels to the south of the site, which would also mean a reduction in flow to The Bogs. Given the area of ancient woodland with a wet woodland dominated landscape, a reduction in flow may not be a desirable outcome, and could have adverse impacts on the biodiversity of the area. The hydraulic modelling studies should go further to demonstrate what would happen on a higher frequency lower magnitude basis, and look at a typical annual water balance to identify the full impact to The Bogs”.*
- *“Given the limited information which has been provided, the FRA should be rejected by Tandridge District Council. A separate report should be requested to specifically consider the impact of the development on The Bogs, which would cover all aspects of the hydrology, not just the flood risk”.*

Section 10.7.11, 10.7.12 and 10.7.15 of the Environmental Statement Volume 2 – Chapter 10: Ecology provides the ‘anticipated effects’ of the proposal upon the pSNCI, the ancient

² Hydro-GIS Ltd (May 2025) Stoney Field Barrow Green Road, Oxted, RH8 0NN Review of Flood Risk V2 Final Report. For: Oxted and Limpsfield Residents Group.

³ Hydro-GIS Ltd (May 2025) Stoney Field Barrow Green Road, Oxted, RH8 0NN Review of Flood Risk V2 Final Report. For: Oxted and Limpsfield Residents Group.



woodland and the wet woodland. This primarily covers the potential for a physical and direct impact upon the habitat(s), and therefore outlines the implementation of a minimum 15m buffer zone from the ancient woodland and a Construction and Environmental Management Plan.

Section 10.7.15 of the Environmental Statement Volume 2 – Chapter 10: Ecology has consideration for hydrology. **However the Environmental Statement Volume 2 – Chapter 10: Ecology, and Preliminary Ecological Appraisal (Ecology Partnership, December 2024) do not demonstrate a full assessment of the potential impacts upon ‘The Bogs’ pSNCI (to include the ancient wet woodland) and the priority wet woodland.**

This is primarily because there is insufficient information provided on the baseline hydrological regime of ‘The Bogs’ pSNCI, and the evidence submitted that there will not be an adverse impact upon the pSNCI and the wet woodland. There appears to be no monitoring of ‘The Bogs’ pSNCI throughout the seasons in a year to understand the hydrological interaction between the site and the pSNCI. There is no evidence of a technical review and assessment of the proposed location of the detection basins/SuDs in the south-west of the application site and the location of development and how this may change the movement of water (surface and groundwater) and the amount of water that ‘The Bogs’ pSNCI will (or may) receive.

Temple⁴ outline that the unnamed stream along the western site boundary will be retained and protected through a buffer, however, we understand that this is not the only source of potential hydrological interaction between the application site and ‘The Bogs’ pSNCI. Figure 21 in the report by Hydro-GIS Ltd⁵ shows flow paths towards ‘The Bogs’ pSNCI from the application site. Temple⁶ state that “*A small spring is also present within the site and also feeds into the stream, however, the development will not restrict the flow of water from this spring into the stream*”. The relationship between the spring (to include groundwater) and ‘The Bogs’ pSNCI does not appear to be detailed or assessed. The location of the spring is not completely clear to us in review of Appendix H of the Drainage Strategy (as outlined by Section 4.15 of the Flood Risk Assessment and Drainage Strategy (Motion, February 2025).

Planning Practice Guidelines from Natural England and the Forestry Commission (14th January 2022) states that

- “*Direct effects of development can cause the loss or deterioration of ancient woodland or ancient and veteran trees by*
- *changing the water table or drainage”*

Wet woodland, especially, ancient, has the potential to support a unique woodland ecosystem of species to include birds, plants and invertebrates. Historical mapping available from 1839 shows evidence of (likely) wet woodland in the location of the pSNCI. We understand that a citation of the pSNCI is wet alder woodland below escarpment. In terms of the ecology of the wet woodland within The Bogs’ pSNCI, we have found no assessment or consideration by Ecology Partnership or Temple, on the vulnerability of the habitat, as a habitat for species, to a potential change. The potential for a change to the woodland, could extend to hydrological aspects and potential pollution pathways but also the proximity of the large development.

⁴ Environmental Statement Volume 2 – Chapter 10: Ecology

⁵ Hydro-GIS Ltd (May 2025) Stoney Field Barrow Green Road, Oxted, RH8 0NN Review of Flood Risk V2 Final Report. For: Oxted and Limpsfield Residents Group

⁶ Environmental Statement Volume 2 – Chapter 10: Ecology



We would conclude that there is insufficient evidence for us to confirm that the proposed development will not have an adverse effect upon 'The Bogs' pSNCI, the ancient & semi natural (wet) woodland and the priority wet woodland.

Section 10.7.30 of the Environmental Statement Volume 2 – Chapter 10: Ecology outlines the assessment that The Bogs pSNCI is private, and that there is limited access. A fence will be installed to deter entry into the woodland. Temple assess therefore that "*recreational impacts on this woodland associated with the development are unlikely to be significant*". As outlined above in the consultation however, The Bogs pSNCI is within the application site.

Therefore there will be access 'into' The Bogs pSNCI. This means that there will be the potential for an impact upon pSNCI through recreational pathways. Although the amount of pSNCI within the application site is minor compared to the extent to the south/south-west.

Further review on ancient & semi-natural woodland is provided under the sub-section 'Biodiversity Net Gain – Irreplaceable Habitats' of this consultation and should be noted.

However if the application is deemed to be granted, then full detail of a strategy to protect The Bogs pSNCI through the construction and operational phases should be secured and submitted to the Local Authority.

Protected Species – Amphibians

Section 3.5 of the Preliminary Ecological Appraisal (Ecology Partnership, December 2024) outlines the presence of one pond within 14m of the application site. This is stated to be within a private garden to the west of the site. The location of the pond appears to be within the boundary of 'The Bogs' pSNCI. In Section 3.20 to 3.21 of the Preliminary Ecological Appraisal, the Ecology Partnership scope out the potential for the application site to support great crested newt. Based on the review of the material, this appears to be a valid conclusion.

However given the wet woodland on and adjacent to the application site, there will be the potential for amphibians to be present on-site. For example common toad. If the application is granted, then a Construction and Environmental Management Plan should be secured, and habitat creation and enhancement should be secured for amphibians.

Protected Species – Bats

Section 4.7 of the Preliminary Ecological Appraisal (Ecology Partnership, December 2024) details the presence of a single large mature oak tree in the west of the site. The tree is assessed to have high suitability to support roosting bats. We recommend that the tree is protected throughout the construction and operational phases of the proposed development.

This should extend to the protection of the tree from lighting. Full detail of the lighting scheme should be secured through a Sensitive Lighting Management Plan if the application is granted.

If the application is granted, then the proposed development should proceed in line with all of the recommendations within the Bat Activity Surveys (Ecology Partnership, December 2024).

This includes Section 4.0 on the commuting and foraging habitat, lighting recommendations, and enhancements, which includes strengthening commuting features. If the planning application is granted, then the following should be secured:

- Construction Environmental Management Plan.
- Sensitive Lighting Management Plan.
- Landscape and Ecological Management Plan.

Protected Species – Birds



Section 3.24 of the Preliminary Ecological Appraisal (Ecology Partnership, December 2024) outlines the presence of suitable habitat for birds within the woodland and scrub. The Preliminary Ecological Appraisal and the Environmental Statement Volume 2 – Chapter 10: Ecology provide a standard recommendation of the timing of any clearance works.

The proposed development site is dominated in area by arable habitat. The ecological submission have no regard or consideration for birds associated with farmland or arable habitat, such as skylarks. The photographs in the Preliminary Ecological Appraisal (such as 8 and 9) show an arable habitat that is unlikely to be used by species like skylark.

However, Photograph 6 in the Preliminary Ecological Appraisal shows shorter grass in the background to the bare ground. Plate 1, Plate 2 and Plate 4 in the Archaeological Desk Based Assessment shows a habitat on-site as been short sward grassland/arable. In the Heritage Report, Plate 4 appears to show short sward grassland / crop. Therefore the photograph 8 and 9 in the Preliminary Ecological Appraisal does not appear to be consistent condition of the habitat height. **We would therefore conclude that there is insufficient consideration for ground nesting birds, such as skylark in the application submission.**

Section 10.5.23 of the Environmental Statement Volume 2 – Chapter 10: Ecology states *“During all survey work significant numbers of dog walkers were observed around the edges and along the footpath which runs through the centre of the field. As such, the arable habitat on Site was considered unlikely to support significant numbers of ground nesting and farmland birds, owing to the high levels of disturbance on site from dogs and people”*.

However we have not found any evidence of this assessment and evaluation in the Preliminary Ecological Appraisal or in the Environmental Statement Volume 2 – Chapter 10: Ecology. We have not found any evidence that Temple has visited the site (for example a date of a site visit in a methodology), therefore it is unclear how this conclusion has been made.

Even if there was a baseline level of recreational disturbance which limits the likelihood of a ‘significant numbers’ of ground nesting birds, a low number of territories would still be material to the determination of the planning application. For example, Skylark is a Species of Principal Importance. The evidence base and justification for Section 10.5.23 remains unclear.

The Preliminary Ecological Appraisal does not include an impact assessment and mitigation strategy for birds. It outlines the nesting bird season. Section 10.5.23 of the Environmental Statement Volume 2 – Chapter 10: Ecology states *“Overall, it is considered that the likely bird assemblage utilising the Site would be of low environmental value/sensitivity”*.

There is no evidence submitted that the bird assemblage would be of low environmental value/sensitivity, as the baseline bird assemblage of the application site is unknown.

Policy DP19 states that *“Planning permission for development directly or indirectly affecting protected or Priority species will only be permitted where it can be demonstrated that the species involved will not be harmed or appropriate mitigation measures can be put in place”*.

Section 10.7.49 of the Environmental Statement Volume 2 – Chapter 10: Ecology states *“An increase in local residents is likely to result in the increase of pets, including cats, which are known to predate on birds. Cat predation may result in loss of population of Priority BoCC species which may be using the habitats on the boundary of the Site”*. There is no evidence submitted on the bird assemblage of the application site, and the extent to which it supports birds listed as being a Species of Principal Importance (or as a Bird of Conservation Concern).

Therefore the impact that cat predation (and any other impact) would have upon priority species of bird is unknown and is not evidenced in any of the ecological submissions.



In our opinion, the assessment for birds should extend to the 'The Bogs' pSNCI, if there is the potential for a change in the hydrology⁷ of the wet woodland on-site and adjacent to the site (more in the 'Impact upon the Bogs pSNCI and the Priority Wet Woodland'). Wet woodland for example can support bird species such as willow tit and lesser spotted woodpecker. Both species are listed as being Species of Principal Importance, and they are on the red list⁸.

However, if the planning application is granted, a Construction and Environmental Management Plan should be secured, and habitat creation and enhancement should be secured for birds as part of the proposed development.

Protected Species – Hazel Dormouse

Section 3.18 of the Preliminary Ecological Appraisal (Ecology Partnership, December 2024) outlines the presence of potential hazel dormouse habitat on-site. However, based upon the presence/ absence surveys carried out, the species is assessed by The Ecology Partnership as being likely absent. The presence of the species in the local landscape and the lack of any detailed survey within the adjacent ancient & semi-natural woodland is however noted.

If the application is granted, then a Construction and Environmental Management Plan should be secured, and habitat creation and enhancement should be secured for hazel dormouse and other small mammals. This should be in line with the recommendations provided in Section 5.3 of the Hazel Dormouse (Ecology Partnership, December 2024) report.

Protected Species – Invertebrates

The habitats within the site includes deciduous & wet woodland, priority hedgerows, field margins and a watercourse. Therefore the site has the potential to support terrestrial and aquatic invertebrates. The Arboricultural Impact Assessment (Barton Hyett Associates, July 2025, Revision B) details a number of trees which are 'notable', such as Tree T16.

The proposed development will impact upon other neutral grassland, native hedgerow and a line of trees. It appears likely that field margins will also be impacted and a drainage pipe will be installed in the woodland in the south of the site. The development will result in an increase in lighting in proximity to the woodlands, mature tree and hedgerows.

Natural England Standing Advice states that developers should submit information with their planning application on how their development proposal avoids or mitigates harm to invertebrates. In our opinion, this should extend to the adjacent 'The Bogs' pSNCI, if there is the potential for a change in the hydrology of the wet woodland on and adjacent.

The Environmental Statement Volume 2 – Chapter 10: Ecology, and Preliminary Ecological Appraisal (Ecology Partnership, December 2024) have no appraisal, assessment or consideration for invertebrates. **In the absence of any assessment for invertebrates, we have insufficient information on the species group to review the application.**

Protected Species – Reptiles

⁷ And the risk of increased cat predation.

⁸ Birds of Conservation Concern 5 (Stanbury, A., Eaton, M., Aebischer, N., Balmer, D., Brown, A., Douse, A., Lindley, P., McCulloch, N., Noble, D., and Win I. 2021. The status of our bird populations: the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain. British Birds 114: 723-747". [bocc-5-a5-4pp-single-pages.pdf](#)



Section 3.23 of the Preliminary Ecological Appraisal (Ecology Partnership, December 2024) outlines the presence of potential reptile habitat on-site. The presence/likely absence surveys on-site recorded the presence of slow worm, and the population is assessed to be 'Good'.

The presence of grass snake has not been ruled out, and we would agree with this.

An outline reptile strategy is submitted within the Reptile Survey (Ecology Partnership, December 2024). If the application is granted, then a Reptile Mitigation Strategy should be secured through a planning condition. This will need to have assessment and strategy for the construction and operational phases of the proposed development.

Protected Species – Badger

Section 4.15 of the Preliminary Ecological Appraisal (Ecology Partnership, December 2024) states "*However, badgers are a mobile species and could establish new setts within the suitable woodland and scrub habitat within the site. Therefore, it is recommended that an update badger survey is carried out prior to development to ensure no new evidence of badgers is found onsite*". **We agree with this recommendation. The recommendation should be secured through a planning condition, if the application is granted.**

Protected Habitats – Hedgerow

Section 4.4 of the Preliminary Ecological Appraisal (Ecology Partnership, December 2024) details the presence of native hedgerows on-site. The Preliminary Ecological Appraisal states "*It is recommended that these habitats be retained within the masterplan, protected throughout construction and enhanced. Any unavoidable loss should be compensated for through creation of new like for like habitat to be managed to the higher condition*".

Section 3.13 of the Preliminary Ecological Appraisal (Ecology Partnership, December 2024) states that the hedgerow on-site contains hawthorn, field maple, dog rose, wayfaring tree, ash, sycamore, traveller's joy, and ivy. This is assessed to be a Habitat of Principal Importance.

The Environmental Statement Volume 2 – Chapter 10: Ecology refers to this as a 'species-poor hedgerow' however it is an Important Hedgerow. In the Biodiversity Net Gain Assessment, the hedgerow is classified as being a 'Native Hedgerow', and therefore it has a low distinctiveness. However the classification of species-poor hedgerow is not clearly evidenced. The outline species list of the hedgerow contains at least five woody species.

It is unclear where the assessment of 'woody' species has been provided to show evidence that it is species-poor, as opposed to species-rich. If species-rich, for example, then the biodiversity net gain assessment would need to be updated accordingly. It is unclear where the Important Hedgerow assessment has been reported.

Section 10.6.1 of the Environmental Statement Volume 2 – Chapter 10: Ecology details that the construction phase will result in the permanent loss of a section of hedgerow in the north-east for a site access. **However the overall submission, to include ecological, does not include any reference to the implementation of the mitigation hierarchy.** The hedgerow has been confirmed as being a Habitat of Principal Importance, and there is no evidence of the Applicant having consideration for an alternative access location, which would not result in the loss of any hedgerow. It is acknowledged that an alternative design may require the loss of bramble scrub, however bramble scrub is not a Habitat of Principal Importance.

A ES Volume 2: Main Text Chapter 4: Alternatives Considered and Design Evolution has been submitted. This does not raise the Habitat of Principal Importance as a constraint on-site.



Figure 4.8 shows an ‘Initial Masterplan Concept’ which does not show an access through the location of the hedgerow. However 4.9 the Illustrative Masterplan is apparently amended to include the severance of the hedgerow. There is no evidence that the hedgerow was considered as an important matter / constraint, or that effort to avoid the impact was attempted.

Biodiversity Net Gain – Irreplaceable Habitats

We have carried out research, to include mapping archives, of the woodland associated with ‘The Bogs’ pSNCI. The extent of the ancient woodland inventory mapping, and the mapping of the ancient woodland by the Applicant’s ecologist, has been discussed above.

However we are particularly interested in why the woodland north and east of the watercourse has been discounted as being ancient & semi-natural woodland, whilst it is part of the pSNCI.

The importance of this matter is material to this application. For example, if present within the application site, then the 15m buffer of the proposed development would be inaccurate and the scheme would need to be re-assessed in terms of ancient and semi-natural woodland.

The Environmental Statement Volume 2 – Chapter 10: Ecology, and Preliminary Ecological Appraisal (Ecology Partnership, December 2024) do not provide an evidence-based scope out of the woodland habitat north and east of the watercourse as being ancient.

It would appear that there is a reliance upon the Natural England dataset. The issue of mapping small areas of ancient woodland, especially through archives, is a known limitation.

Therefore in our opinion, there should be caution in excluding small areas of woodland from being ancient, purely on mapping data alone. On the 25th July 2025, Woolf Bond Planning prepared a letter to Tandridge District Council (REF; SB/9060). This includes a section of ‘Ancient and Semi-Natural Woodland Matters ASNW’. In the letter (Ref: SB/9060) it states:

- *“The ecologist’s conclusion on the extent of ASNW is based upon the Ancient Woodland Inventory (AWI) which was created through review of old maps to determine areas that had been continuously wooded for over 500 years. The woodland within the Site itself is not included in the inventory and did not feature the ancient woodland indicators typical of ancient woodland, instead comprising alder, with very sparse understorey and a ground layer dominated by nettles and other species associated with nutrient enrichment.”*

The Environmental Statement Volume 2 – Chapter 10: Ecology, and Preliminary Ecological Appraisal (Ecology Partnership, December 2024) provide no evidence of assessing ‘old maps’ or mapping archives. We disagree that the woodland on-site does not feature ancient woodland indicator species. Or there is no evidence that this is the case. Section 3.11 of the Preliminary Ecological Appraisal states *“The woodland in the south of the site was similar in the drier areas in its western and eastern extents”*. This is a comparison with woodland in the north. Ecology Partnership advise that the species present includes British bluebell, wood meadow grass, ramsons and wood anemone. These are examples of indicator species.

In review of the Environmental Statement Volume 2 – Chapter 10: Ecology, and Preliminary Ecological Appraisal (Ecology Partnership, December 2024), we have not found analysis of these indicator species. It is unclear whether this overview in Section 3.11 for at least two woodland parcels on-site, provides a complete list of species present.

The review of historical mapping that we have carried out includes 1895 and the 1960s. In 1895 the woodland is mapped south of the watercourse. However by the 1960s woodland habitat appears north and east of the watercourse. These are the locations of the priority wet



woodland and priority deciduous woodland on-site as mapped by Ecology Partnership in the south of the application site. The Oxted Tithe Map (1839) has correlation with the 1895 map.

However we have also reviewed the Archaeological Desk Based Assessment (RPS Group, February 2025) which contains a number of archive / historical maps. We particularly note Figure 7 of the Archaeological Desk Based Assessment, which is taken from '1809 Plan of Oxted Court Farm'. Figure 7 clearly shows the woodland adjacent to the south of the application site which is mapped by Natural England as being ancient. However, Figure 7 shows a piece of the woodland extending north, and past the red line boundary of the proposed development site, that has been overlaid on the map image. This would appear to overlap with an area of lowland mixed deciduous woodland mapped by Ecology Partnership.

The map that we have found of 1895 is different to the map from 1809. However this may reflect different mapping techniques or requirements. It is appreciated that the map is from 1809, and we note the importance of 1600AD. However we have not found any clear or accurate maps from 1700. Based upon the description of lowland mixed deciduous woodland in the Preliminary Ecological Appraisal, there are ancient woodland indicators in this location (i.e, where the woodland extends over the red line boundary in the Figure 7: 1809).

Therefore in overall review we are not satisfied with the overall evidence submitted that discounts the presence of ancient & semi-natural woodland within the red line boundary. It does not appear to be covered in the Preliminary Ecological Appraisal, and it is not covered in the Environmental Statement Volume 2 Chapter 10: Ecology.

The letter (Ref: SB/9060) states "*The woodland within the Site itself is not included in the inventory and did not feature the ancient woodland indicators typical of ancient woodland, instead comprising alder, with very sparse understorey and a ground layer dominated by nettles and other species associated with nutrient enrichment*".

However this appears to omit the deciduous woodland parcel east of the priority wet woodland on-site. There is also opinion that pendulous sedge (as found in the priority wet woodland on-site) can be an indicator of ancient woodland⁹, when found in proximity to other indicators¹⁰.

Biodiversity Net Gain - Approach

We have carried out a review of the biodiversity net gain assessment as submitted – Ecology Partnership do not assess that an irreplaceable habitat is located on-site, within the red line.

However our review above is important, as the presence of ancient & semi-natural woodland within the application site would require an update to the Biodiversity Net Gain strategy.

The LPA may therefore wish to require sufficient evidence on the approach taken to dismiss the presence of ancient & semi-natural woodland within the application site before the Biodiversity Gain Condition is discharged, if the application is granted.

Biodiversity Net Gain – General

The biodiversity gain condition is a pre-commencement condition: once planning permission has been granted, a Biodiversity Gain Plan must be submitted and approved by the planning authority before commencement of the development. However, Biodiversity net gain is not just

⁹ The Wild Flower Key (March 2006, Dr. Francis Rose).

¹⁰ Acknowledged that pendulous sedge can also be associated as not being an indicator of ancient woodland and can occur across a range of different habitats.



a post-permission matter. To ensure the biodiversity gain objective is met, it is important that biodiversity net gain is considered throughout the planning process.

Paragraph: 019 Reference ID: 74-019-20240214 of the Planning Practice Guidance published by the Ministry of Housing, Communities and Local Government and Department for Levelling Up, Housing and Communities (1 May 2024) states that:

- The statutory framework for biodiversity net gain involves the discharge of the biodiversity gain condition following the grant of planning permission to ensure the objective of at least 10% net gain will be met for a development.
- Given this, it would generally be inappropriate for decision makers, when determining a planning application for a development subject to biodiversity net gain, to refuse an application on the grounds that the biodiversity gain objective will not be met.
- However, decision makers may need to consider more broadly whether the biodiversity gain condition is capable of being successfully discharged. Matters for consideration may include the following (but this is not an exhaustive list):
 - The appropriate balance expected between onsite gains, off-site gains and the use of statutory biodiversity credits for the development, taking account of the Biodiversity Gain Hierarchy.
 - Whether the type and location of any significant onsite habitat enhancements proposed for onsite gains are appropriate, taking into account other policies to support biodiversity (including local nature recovery strategies) and other wider objectives (for example policies for design, open space and recreation, and retention of trees); and
 - Any planning conditions which need to be imposed to secure any significant onsite habitat enhancements, including any conditions requiring the maintenance of the enhancement for at least 30 years after the completion of the development.
 - Prior to the determination of the planning application, decision makers will also want to discuss with the applicant whether any section 106 planning obligations are required to secure either significant onsite habitat enhancements or offsite gains for the development.

This application will be subject to the General Biodiversity Gain Condition and will therefore be required to provide a Biodiversity Gain Plan. Development should not begin unless:

- **A biodiversity gain plan has been submitted to the planning authority; and**
- **The planning authority has approved the plan.**

Please note that Paragraph: 024 Reference ID: 74-024-20240214 of the Planning Practice Guidance published by the Ministry of Housing, Communities and Local Government and Department for Levelling Up, Housing and Communities (1 May 2024) states that:

- *“To ensure applicants are clear about this distinction, the local planning authority are strongly encouraged to not include the biodiversity gain condition, or the reasons for applying this, in the list of conditions imposed in the written notice when granting planning permission.*
- *There is a separate requirement to provide information about the biodiversity gain condition. This information must be separate to the list of conditions on the decision notice”.*



Biodiversity Net Gain – Review

Please note that we have not seen the Statutory Biodiversity Metric Calculation Tool used to inform the Biodiversity Net Gain Feasibility Assessment (Ecology Partnership, February 2025). This is a limitation, however the clarity of the information in the Biodiversity Net Gain Feasibility Assessment (Ecology Partnership, February 2025) has reduced this limitation.

The Biodiversity Net Gain Feasibility Assessment (Ecology Partnership, February 2025) provides a habitat baseline which aligns with the Preliminary Ecological Appraisal (Ecology Partnership, December 2024). The feasibility analysis shows that the proposed development has the potential to achieve the minimum +10% for each of the relevant habitat modules.

In review of the Biodiversity Net Gain Feasibility Assessment (Ecology Partnership, February 2025) it appears to be the plan that the wet woodland will be retained in a moderate condition.

However as outlined above in this consultation, it has not yet been evidenced that the hydrological interaction of the wet woodland with the application site will be maintained. A change in the hydrological interaction, which results in a loss of the wet woodland, or a deterioration of the condition to low, would influence the biodiversity net gain strategy.

However the extent to which this would impact the feasibility of the scheme to achieve a minimum +10% for modules is not clear. It is feasible that the minimum +10% in biodiversity units could still be achieved for relevant modules. However a significant impact upon the wet woodland priority habitat would not be in line with policy for a Habitat of Principal Importance.

Please note our above review for the hedgerow on-site – ‘Protected Habitat – Hedgerow’. If the hedgerow is a Species Rich Hedgerow, then an update will be required. As with the wet woodland, however, the extent to which this would impact the feasibility of the scheme to achieve a minimum +10% for the hedgerow module is not clear.

Section 2.12 of the Biodiversity Net Gain Feasibility Assessment (Ecology Partnership, February 2025) states that:

- *“It should be noted that the application is Outline only, and detailed landscaping will be developed at the reserved matters stage. As such, this assessment would need to be revised once landscaping has been finalised”.*
- *“A detailed Habitat Management & Maintenance Plan will be developed at the detailed design stage to detail the long-term management of the proposed habitats to achieve the targeted habitat conditions, over a 30 year timespan”.*

The Biodiversity Net Gain Feasibility Assessment (Ecology Partnership, February 2025) does not directly reference ‘Significant on-site Enhancement’. However the feasibility assessment for the habitat modules and even if the scheme is amended, if granted, then it is very likely that significant on-site enhancement will be required.

Paragraph: 015 Reference ID: 74-015-20240214 of the Planning Practice Guidance published by the Ministry of Housing, Communities and Local Government and Department for Levelling Up, Housing and Communities (1 May 2024) states: *“For the purposes of biodiversity net gain, planning obligations are one of the mechanisms under paragraph 9 of Schedule 7A necessary to secure the maintenance of significant onsite habitat enhancements for at least 30 years”.*

Paragraph 021: Reference ID74-021-20240214 of the Planning Practice Guidance published by the Ministry of Housing, Communities and Local Government and Department for Levelling Up, Housing and Communities (1 May 2024) states *“Paragraph 9 of Schedule &A of the Town and Country Planning Act 1990 requires that where an applicant relies upon a significant increase in on-site habitat biodiversity value, the habitat enhancement (significant on-site*

habitat enhancement') must be subject to a planning condition, section 106 agreement, or conservation covenant requiring the habitat enhancement to be maintained for at least 30 years after the development is completed".

Significant enhancements are areas of habitat enhancement which contribute significantly to the proposed development's BNG, relative to the biodiversity value before development.

Significant enhancements must be secured for 30 years in the same way as off-site gains.

What counts as a significant enhancement will vary depending on the scale of development and existing habitat, but these would normally be:

- Habitats of medium or higher distinctiveness in the biodiversity metric.
- Habitats of low distinctiveness which create a large number of biodiversity units relative to the biodiversity value of the site before development.
- Habitat creation or enhancement where distinctiveness is increased relative to the distinctiveness of the habitat before development.
- Areas of habitat creation or enhancement which are significant in area relative to the size of the development.
- Enhancements to habitat condition, for example from poor or moderate to good.

Paragraph: 015 Reference ID: 74-015-20240214 of the Planning Practice Guidance published by the Ministry of Housing, Communities and Local Government and Department for Levelling Up, Housing and Communities (1 May 2024) advises that:

- *"If planning obligations are going to be used for biodiversity net gain, it is good practice to submit information about any potential planning obligations which may need to be entered into should the proposal be granted planning permission. For example, if there is a need for:*
 - *"Significant increase of onsite biodiversity enhancements, then applicants are encouraged to provide a draft Habitat Management and Monitoring Plan as part of the application which sets out the proposals for long term maintenance of habitats to be secured through planning condition or planning obligation".*

We will highlight that the Applicant has failed to provide a draft Habitat Management and Monitoring Plan. The rationale for this is not clear.

However, if the application is granted, then the applicant will be required to submit a Habitat Management and Monitoring Plan, in line with a Biodiversity Gain Plan.

I hope this information is helpful in assisting your consideration of the application. Please contact planning@surreywt.org.uk if you require any further clarifications with regards to the above.

Kind regards,

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Appendix 1: National Planning Policy and Legislation

Conservation of Habitats and Species Regulations 2017 (as amended)

Provides for the protection of Natura 2000 sites (SACs, SPAs and Ramsar sites), European Protected Species and habitats. European Protected Species are protected from:

- Deliberate capture, injury or killing.
- Deliberate disturbance of a European Protected Species, such that it impairs their ability to breed, reproduce or rear their young, hibernate or migrate or significantly affect their local distribution or abundance.
- Deliberately take or destroy effect.
- Damage or destroy a breeding site or resting place.
- Keep, transport, sell or exchange any live, dead or part of a European Protected Species.

European Protected Species include, but are not limited to:

- Great crested newt
- Natterjack toad
- Otter
- Smooth snake
- Sand lizard
- All bat species
- Hazel dormouse

The LPA should be aware of its legal duty under Regulation 9(3) of Conservation of Habitats and Species Regulations 2017, as amended, which states that *“a competent authority in exercising any of its functions, must have regard to the requirements of the Directives so far as they may be affected by the exercise of those function”*.

Also, under Regulation 55 (9b) of the above regulations, the LPA must apply the following three tests when deciding whether to grant planning permission where a Protected Species (bats) may be harmed, in line with the Conservation of Habitats and Species Regulations 2017, as amended.

- The activity must be for imperative reasons of overriding public interest or for public health and safety;
- There must be no satisfactory alternative;
- Favourable conservation status of the species must be maintained.

Natural England has stated that they would expect these three tests to be adequately considered by the LPA before planning permission is granted. Natural England will require evidence from the applicant that the LPA has considered the three tests and how they were met, before a mitigation licence can be issued. Where a mitigation licence is required to avoid breach of legislation, development cannot proceed even where a valid planning permission is granted.

Wildlife and Countryside Act 1981 (as amended)

Key piece of legislation consolidating existing wildlife legislation to incorporate the requirements of the Bern Convention and Birds Directive. It includes additional protection measures for species listed under the Conservation of Habitats and Species Regulations 2017 (as amended) and includes a list of species protected under the Act. It also provides for the designation and protection of Sites of Special Scientific Interest (SSSI).



Development which would adversely affect a SSSI is not acceptable except only in special cases, where the importance of a development outweighs the impact on the SSSI when planning conditions or obligations would be used to mitigate the impact. Developments likely to impact on a SSSI will likely require an Environmental Impact Assessment (EIA).

The Impact Risk Zones (IRZs) dataset is a GIS tool which details zones around each SSSI according to the particular sensitivities of the features for which it is notified and specifies the types of development that have the potential to have adverse impacts. Natural England uses the IRZs to make an initial assessment of the likely risk of impacts on SSSIs and to quickly determine which consultations are unlikely to pose risks and which require more detailed consideration. Local Planning Authorities (LPAs) have a duty to consult Natural England before granting planning permission on any development that is in or likely to affect a SSSI.

Further information on specific legislation relating to species protected under the Wildlife and Countryside Act 1981 (as amended) is detailed below, under Protection of Protected Species and Habitats.

Environment Act (2021)

The Environment Act (2021) makes a provision for biodiversity net gain to be a condition of planning permission in England. Planning applications will need to demonstrate a 10% biodiversity net gain can be met. A biodiversity net gain plan must be submitted and must include:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat
- (b) the pre-development biodiversity value of the onsite habitat,
- (c) the post-development biodiversity value of the onsite habitat,
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development,
- (e) any biodiversity credits purchased for the development.

Countryside and Right of Way Act 2000

Amends and strengthens the Wildlife and Countryside Act 1981 (as amended). It also details habitats and species for which conservation measures should be promoted.

Natural Environment and Rural Communities Act 2006

Section 40 of the Act places a duty on local planning authorities to conserve and enhance biodiversity in England whilst carrying out their normal functions. Section 41 comprises a list of Habitats of Principal Importance (HPIs) and Species of Principal Importance (SPIs) which should be considered.

The LPA will need to have particular regard to any relevant local nature recovery strategies, and any relevant species conservation strategy or protected site strategy prepared by Natural England.

Hedgerows Regulations 1997

Under these regulations it is an offence to intentionally or recklessly remove, or cause or permits another person to remove, a hedgerow. Important hedgerows are defined in Section 4 of the Regulations. This includes hedgerows that have existed for over 30 years or satisfies at least one criteria listed in Part II of Schedule 1.



Wild Mammals (Protection) Act 1996

Under this act wild mammals are protected from the intentional unnecessary suffering by crushing and asphyxiation.

ODPM Circular 06/05: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact within the Planning System (2005)

The Government's Office of the Deputy Prime Minister (ODPM) Circular 06/05 (ODPM 2005) presents the legal requirement for planning authorities with regard to statutory designated sites. Planning approval should not be granted where impacts to statutory designated sites that are not connected to the site maintenance for nature conservation, or will have a significant effect on the site's conservation objectives and/or affect the site's integrity. Permission may be granted if the proposed development overrides public interest.

The presence of a protected species is a material planning consideration. The Circular clearly outlines that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted. Otherwise, all relevant considerations may not have been addressed in making the decision.

Biodiversity Opportunity Areas (BOAs)

In order to assist in delivering the government's Biodiversity 2020 strategy, the Surrey Nature Partnership has identified seven BOAs where improved habitat management, habitat restoration and recreation of HPIs is the key focus to enhancing the connectivity of habitats for SPIs to deliver biodiversity objectives at a landscape scale. The location of these is presented in the South East Biodiversity Strategy's website. The project promotes a collaborative approach across a number of regional and local organisations.

Developments within or adjacent to BOAs should be designed in consideration of the BOA objectives, which are provided at:

- <https://surreynaturepartnership.org.uk/our-work/>

The BOAs include:

- Thames Basin Heaths comprising Chobham Common North & Wentworth Heaths, Chobham South Heaths, Colony Bog, Bagshot Heath & Deepcut Heaths, Ash, Brookwood & Whitmoor Heaths, Woking Heaths;
- Thames Basin Lowlands comprising Wanborough & Normandy, Woods & Meadows, Clandon to Bookham Parkland, Esher & Oxshott Commons, Ashtead & Epsom Wood Pasture, Princes Coverts & Horton Country Park;
- Thames Valley comprising Windsor Great Park, Runnymede Meadows & Slope, Staines Moor & Shortwood Common, Thorpe & Shepperton, Molesey & Hersham;
- North Downs comprising North Downs Scarp; The Hog's Back, North Downs Scarp and Dip; Guildford to the Mole Gap, North Downs Scarp; Mole Gap to Reigate, North Downs; Epsom Downs, North Downs; Banstead Wood & Chipstead Downs, North Downs Scarp; Caterham, North Downs Scarp; Woldingham,
- Wealden Greensands comprising Puttenham & Crooksbury, Farnham Heaths, Thursley, Hankley & Frensham Heaths, Devil's punch-bowl & Hindhead Heaths, Hascombe, Winkworth & Hydon's Heath and Woodland, Blackheath, Chilworth & Farley Heaths, Winterfold & Hurtwood Greensand Ridge, Leith Hill, Wotton, Abinger &



Holmwood Greensand Ridge, Limpsfield Heaths, Reigate Heaths, Holmthorpe & Bay Pond

- Low Weald comprising Chiddingfold & West Weald Woodlands, Cranleigh Woodlands, Wallis Wood, Vann Lake & Ockley Woodland, Glover's Wood & Edolph's Copse, Newdigate Wood, Earlswood & Redhill Commons;
- River Valleys comprising Hogsmill, Eden Brook, River Blackwater, River Wey, River Mole, River Thames,

Protection of protected species and habitats

Amphibians

Natterjack toad, pool frog and great crested newt are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). They are also afforded additional protection under the Wildlife and Countryside Act 1981 (as amended).

Natterjack toad, common toad, great crested newt and northern pool frog are also SPIs.

Reptiles

Smooth snake and sand lizard are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). They are afforded additional protection under the Wildlife and Countryside Act 1981 (as amended).

Adder, grass snake, common lizard and slow-worm are all protected from killing and injury under the Wildlife and Countryside Act 1981 (as amended). All UK reptile species are SPIs.

Birds

All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). This includes damage and destruction of their nests whilst in use, or construction. Species listed under Schedule 1 of the Act, such as barn owl, are afforded protection from disturbance during the nesting season.

The following 50 bird species are SPIs: lesser redpoll, aquatic warbler, marsh warbler, skylark, white-fronted goose, tree pipit, scaup, bittern, dark-bellied brent goose, stone-curlew, nightjar, hen harrier, northern harrier, hawfinch, corncrake, cuckoo, Bewick's swan, lesser spotted woodpecker, corn bunting, cirl bunting, yellowhammer, reed bunting, red grouse, herring gull, black-tailed godwit, linnet, twite, Savi's warbler, grasshopper warbler, woodlark, common scoter, yellow wagtail, spotted flycatcher, curlew, house sparrow, tree sparrow, grey partridge, wood warbler, willow tit, marsh tit, dunnock, Balearic shearwater, bullfinch, roseate tern, turtle dove, starling, black grouse, song thrush, ring ouzel and lapwing.

Badger

Badger is protected under the Protection of Badgers Act 1992. Under this legislation it is an offence to kill or injure a badger; to damage, destroy or block access to a badger sett; or to disturb badger in its sett. The Act also states the conditions for the Protection of Badgers licence requirements.

Bats

All bat species are protected under the Conservation of Habitats and Species Regulations 2017 (as amended), as detailed above. Bats are further protected under the Wildlife and Countryside Act 1981 (as amended), making it an offence to:

- Deliberately or recklessly damage or destroy any structure or place which bat(s) use for shelter or protection.



- Disturb bat(s) while occupying a structure or place which it uses for shelter or protection.
- Obstruct access to any structure or place which they use for shelter or protection.

Furthermore, seven bat species are SPIs, covered under Section 41 of the NERC Act 2006. These include western barbastelle, Bechstein's, noctule, soprano pipistrelle, brown long-eared, lesser horseshoe and greater horseshoe.

Hazel dormouse

Hazel dormouse is protected under the Conservation of Habitats and Species Regulations 2017 (as amended). It is afforded additional protection under the Wildlife and Countryside Act 1981 (as amended), including obstruction to a place of shelter or rest.

Hazel dormouse is also a SPI.

Hedgerow

Under the Hedgerows Regulations 1997 it is against the law to remove or destroy certain hedgerows without permission from the LPA, which are also the enforcement body for offences created by the Regulations. LPA permission is normally required before removing hedges that are at least 20 m in length, more than 30 years old and contain certain plant species. The authority will assess the importance of the hedgerow using criteria set out in the regulations. The regulations **do not** apply to hedgerows within the curtilage of, or marking a boundary of the curtilage of, a dwelling house.

Hedgerow is a HPI.

Otter

Otter is protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and is afforded additional protection under the Wildlife and Countryside Act 1981 (as amended). Otter is also a SPI.

Water vole

Water vole is fully protected from capture, killing or injury; damage, destruction or blocking access to a place of shelter; disturbance whilst in a place of shelter or possessing, selling any part of a water vole, dead or alive under the Wildlife and Countryside Act 1981 (as amended).

Water vole is also a SPI.

Other mammals

West European hedgehog, brown hare, mountain hare, pine marten, harvest mouse, polecat and red squirrel are all SPIs.

The following mammals are listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended): wildcat, brown hare (Schedule 5A), mountain hare (Schedule 5A), pine marten and red squirrel.

Invertebrates

Fifty-six terrestrial and freshwater invertebrate species are listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). These include Reddish buff, Norfolk hawker, Purple emperor, High brown fritillary, Northern brown argus, White-clawed crayfish, Pearl-bordered fritillary, DeFolin's lagoon snail, Chequered skipper, Fairy shrimp, Rainbow leaf beetle, New Forest cicada, Southern damselfly, Large heath, Small blue, Wartbiter, Fen raft spider, Ivel's sea anemone, Mountain ringlet, Ladybird spider, Marsh fritillary, Spangled diving beetle, Mole cricket, Field cricket, Duke of Burgundy, Silver-spotted skipper, Medicinal leech,



Lesser silver water beetle, Moccas beetle, Wood white, Violet click beetle, Large copper, Freshwater pearl mussel, heath fritillary, Glanville fritillary, Glutinous snail, Starlet sea anemone, Large tortoiseshell, Brackish hydroid, Swallowtail, Bembridge beetle, Barberry carpet, Silver-studded blue, Adonis blue, Chalk hill blue, Fiery clearwing, Sandbowl snail, Black hairstreak, White-letter hairstreak, Black-veined moth, Sussex emerald, Brown hairstreak, Northern hatchet-shell, Lulworth skipper, Tadpole shrimp, New Forest burnet.

A total of 398 invertebrates are Species of Principal Importance. These include: beetles (including stag beetle), butterflies (high brown fritillary, large heath, small blue, white-letter hairstreak, brown hairstreak, damselflies (southern damselfly), moths (marsh moth), ants, bees etc. Impacts to SPI must be considered by the LPA when assessing planning applications.

Non-native invasive plant species

Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) is a list of non-native plant species for which Section 14 of the Act applies. It is an offence to plant, or otherwise cause to grow in the wild species listed under Schedule 9 of the act. These include, but are not limited to:

- Himalayan balsam
- Cotoneaster sp.
- Japanese knotweed
- Giant hogweed

Habitats of Principal Importance

Section 41 of the NERC Act 2006 details 56 HPIs, of which the following could be present in south-east England: Lowland calcareous grassland, Lowland dry acid grassland, Lowland meadows, Lowland Heathland, Open Mosaic Habitats on Previously Developed Land, Lowland fens, Lowland raised bog, Reedbeds, Lowland beech and yew woodland, Lowland mixed deciduous woodland and Wet woodland.

Impacts to HPI are of material planning consideration.

Ancient woodland and veteran trees

The NPPF 2024 states that 'Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss'. In addition, Natural England's standing advice for ancient woodland indicates that a 15 m buffer is retained between ancient woodland and any works or development. Ancient woodlands, and ancient and veteran trees, may also be protected by Tree Preservation Orders.

National Planning Policy Framework (2024)

Details the Government's planning policies for England and how these should be applied, particularly to contribute to the Government's commitment to halt the decline of biodiversity. When assessing planning applications, LPAs should have regard to conserving and enhancing biodiversity by applying several principals, including:

- Avoiding impacts to biodiversity through appropriate site selection.
- Mitigating residual impacts.
- Encouraging the preservation and enhancement of biodiversity.
- Preventing the development of protected sites, such as SSSIs.



- Refusing permission where habitats that cannot be recreated, such as ancient woodland, would be lost.
- Encouraging good design that limits light pollution.

Relevant paragraphs in the NPPF (2024) are detailed below.

Paragraph Number	Detail
187	<p>Planning policies and decisions should contribute to and enhance the natural and local environment by:</p> <p>(a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);</p> <p>(b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland</p> <p>(c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;</p> <p>(d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs.</p> <p>(e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and</p> <p>(f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate</p>
190	<p>“When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:</p> <p>(a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;</p> <p>(b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and</p> <p>(c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”</p>
193	<p>“When determining planning applications, local planning authorities should apply the following principles:</p> <p>(a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful</p>



Paragraph Number	Detail
	<p>impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;</p> <p>(b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;</p> <p>(c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons 67 and a suitable compensation strategy exists; and</p> <p>(d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”</p>
194	<p>“The following should be given the same protection as habitats sites:</p> <p>(a) potential Special Protection Areas and possible Special Areas of Conservation;</p> <p>(b) listed or proposed Ramsar sites 68 ; and</p> <p>(c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.”</p>
195	<p>“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”</p>
198	<p>Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:</p> <p>a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life72;</p> <p>b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and</p> <p>c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.</p>

TANDRIDGE DISTRICT COUNCIL

Town & Country Planning Act 1990

Steven Brown
Woolf Bond Ltd
The Mitfords
Basingstoke Road
Three Mile Cross
Reading
RG7 1AT

On behalf of Croudace Homes Ltd,

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

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

At

Land South Of Barrow Green Road Oxted,

in accordance with the application registered by the Council on the 25 April 2025.

The reason(s) for REFUSAL are:-

- 1) The proposed residential development represents inappropriate development in the Green Belt that would result in definitional harm and significant harm to openness both spatially and visually. The proposed development would also result in significant other planning harm. The Green Belt harm and other planning harm is not clearly outweighed by the benefits of the proposal (nor by any other material consideration(s)), such that very special circumstances do not exist. As such, the proposed development is contrary to paragraph 153 of the NPPF and Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP10.
- 2) The application site is sensitive being in the setting of the Surrey Hills National Landscape. The proposed development would adversely impact upon the character and distinctiveness of the landscape and countryside of the site and wider area and significantly detract from the overall character and appearance of the area and thereby the setting of the National Landscape. As such, the proposed development is contrary to the provisions of NPPF paragraph 189 and Core Strategy Policies CSP20 and CSP21 and Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP7.
- 3) The current proposal by Natural England to include the application site in the Surrey Hills National Landscape, based on advice of expert landscape consultants, has reached an advanced stage and is now a material planning consideration in the determination of this planning application. A grant of planning permission that would nullify this proposal would be unjustified. Planning permission should not be granted for development such as now proposed that would prejudice the outcome of the proposal to include the site in the National Landscape and damage an environmental asset contrary to Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP7.

- 4) The applicant has not demonstrated that the proposed development, and in particular the outline drainage proposals, will not result in the loss or deterioration of an irreplaceable habitat both on-site and off-site, that is The Bogs ancient woodland, within and adjoining the site boundary. This is contrary to NPPF 2024 paragraph 193 (c) which requires that such development should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. The proposal is also contrary to Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP7 which requires that proposals protect and, where opportunities exist, enhance valuable environmental assets. The proposal is similarly contrary to Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP19 which provides that where a proposal is likely to result in direct or indirect harm to an irreplaceable environmental asset of the highest designation, such as ancient woodland, the granting of planning permission will be wholly exceptional, and in the case of ancient woodland exceptions will only be made where the need for and benefits of the development in that location clearly outweigh the loss, and that impact or loss should not just be mitigated but overall ecological benefits should be delivered.
- 5) The information provided with the application is insufficient to show that there will not be adverse impacts on biodiversity as a result of the proposed development contrary to the provisions of paragraphs 187 and 193 of the NPPF and Tandridge Local Plan Core Strategy policy CSP17 and Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP19.
- 6) The proposed development would cause less than substantial harm to the setting of St Mary's Church, a Grade I listed building, and Court Farm House a Grade II listed building and is thereby contrary to paragraph 215 of the NPPF and Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP20 because it has not been satisfactorily demonstrated that the public benefits of the development would outweigh that harm.
- 7) The proposed development would lead to the loss of a significant area of best and most versatile agricultural land contrary to the provisions of NPPF paragraph 187 b).
- 8) The proposed development would have a major adverse effect for users of public bridleway 97 which would not just be limited to the loss of views of the National Landscape but the degradation and loss of experience of open countryside that is a valued landscape and an important recreational and well-being resource for local residents, contrary to policies 96(c) and 105 of the NPPF and Tandridge Local Plan Core Strategy policy CSP13.
- 9) The harm that would arise to the Green Belt, the setting of the National Landscape, open countryside and Bridleway 97, and potentially biodiversity, from the development proposals makes the development unsustainable in the context of paragraph 8(c) of the NPPF and Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP1.

Informative:

1. The Local Planning Authority has acted in a positive and creative way in determining this application, as required by the NPPF (2024), and has assessed the proposal against all material considerations including the presumption in favour of sustainable development and that which improves the economic, social and environmental conditions of the area, planning policies and guidance and representations received.
2. This decision relates to drawings numbered and titled, as follows:
 - vi) Location Plan No.3129-A-1000-PL-A.
 - vii) Land Use Parameter Plan No.3129-A-1200-PL-D.

- viii) Site Access Barrow Green Road Drawing 107491 PEF XX XX D H 0300 Rev P01 (in Appendix C to Transport Assessment).
- ix) Site Access Wheeler Avenue Drawing 107491-PEF-XX-XX-DR-H-0200 Rev P01 (in Appendix C to Transport Assessment).
- x) Refuse Access Barrow Green Road Drawing 107491 PEF XX XX D H 0300 Rev P01 (in Appendix C to Transport Assessment).

Dated: 15 August 2025



David Ford
Chief Executive

NB: *Please also see attached notes*

Appendix C

Updated Surface Water Hydraulic Modelling Report

Croudace Homes Limited

Stoneyfields, Oxted

Hydraulic Modelling Report

REPORT REF.

2404420_A-ACE-XX-XX-RP-C-0321

October 2025

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Contents	Page
1. Introduction	1
Site location and existing hydrology	2
2. Model Updates	4
3. Impacts of development proposals on flows	6
Pre-development scenario	6
Post-development condition	7
Impact of proposals on flows to The Bogs	8
4. Summary	11

Appendices

Appendix A – Southern Water sewer mapping

Figures

Figure 1-1: Site location plan	2
Figure 1-2: Catchment areas draining to The Bogs during rainfall events	3
Figure 3-1: Pre-development scenario peak modelled flood extents	6
Figure 3-2: Post-development scenario peak modelled flood extents	8
Figure 3-3: Change in peak flood depths – 100% AEP event – pre-development vs post-development scenario	9
Figure 3-4: Change in peak flood depths – 1% AEP plus 45% climate change event – pre-development vs post-development scenario	10

Tables

Table 3-1: Pre-Development peak flows at results lines shown in Figure 3-1	7
Table 3-2: Pre-Development and Post-development peak flows at results lines shown in Figure 3-1	8

Document Control Sheet

REV	ISSUE PURPOSE	AUTHOR	CHECKED	APPROVED	DATE
-	DRAFT	JA	BC	DRAFT	October 2025
	FINAL	JA	JA	BC	13 October 2025
					

Distribution

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Return Periods / Annual Exceedance Probability Events

The following return periods / annual exceedance probability (AEP) events are referenced in the text:

Return Period	Annual Exceedance Probability
1 in 1-year	100%
1 in 2-year	50%
1 in 5-year	20%
1 in 10-year	10%
1 in 20-year	5%
1 in 30-year	3.3%
1 in 100-year	1%

1. Introduction

- 1.1. Ardent Consulting Engineers (hereafter referred to as Ardent) has been instructed by Croudace Homes Limited to undertake technical hydraulic modelling work in relation to a proposed development at Stoneyfields, Oxted.
- 1.2. A surface water hydraulic modelling study was undertaken in November 2024 covering the site and surrounding catchment. The modelling was used to refine the understanding of the existing surface water flood risk and to inform the development of mitigation measures for managing overland flow paths from offsite without increasing flood risk. Details of the modelling are outlined within a technical model report (report ref: **2404420-ACE-XX-XX-RP-C-0501**) accompanying the site Flood Risk Assessment (FRA).
- 1.3. The Lead Local Flood Authority (LLFA) provided no objection to the FRA and surface water hydraulic modelling, and were satisfied that the requirements of the NPPF and the Tandridge Local Plan were complied with.
- 1.4. Tandridge District Council refused the outline planning application, with one reason for refusal being '*The applicant has not demonstrated that the proposed development, and in particular the outline drainage proposals, will not result in the loss or deterioration of an irreplaceable habitat both on-site and off-site, that is The Bogs ancient woodland, within and adjoining the site boundary*'.
- 1.5. Within the accompanying Officer's Report it is detailed that concerns relating to The Bogs ancient woodland (hereafter referred to as The Bogs) are in part associated with a lack of information provided regarding the hydrological impacts of the development proposals on flows reaching The Bogs.
- 1.6. This included comments from a third party flood risk consultant instructed on behalf of the Parish Council that stated the modelling report '*shows a reduction in flood levels to the south of the site, which would also mean a reduction in flow to The Bogs. Given the area of ancient woodland with a wet woodland dominated landscape, a reduction in flow may not be a desirable outcome and could have adverse impacts on the biodiversity of the area.*'
- 1.7. This technical note has been prepared to assess surface water flows in the pre and post development scenario entering The Bogs. These surface water flows enter The Bogs via onsite and offsite overland flows. The offsite overland flow route is predicted to form during extreme storm events, entering the site in the northwest

corner and flowing overland towards The Bogs located to the south of the site. The Bogs receive flows from an ordinary watercourse running along the western site boundary before flowing through The Bogs.

1.8. This note outlines the updates made to the existing hydraulic modelling to support this assessment, and details the model outputs in terms of the impacts on flows to The Bogs from offsite.

1.9. A separate note is prepared by Motion to address the contribution of flows to The Bogs from runoff generated by rainfall falling within the site boundary in the existing and proposed conditions.

Site location and existing hydrology

1.10. The Site locations and surrounding area is shown in **Figure 1-1**. Additionally, the approximate catchment areas draining to The Bogs are shown in **Figure 1-2**, with the catchment areas estimated from Environment Agency 1m LIDAR Digital Terrain Model (DTM) elevation data and Southern Water asset data.



Figure 1-1: Site location plan

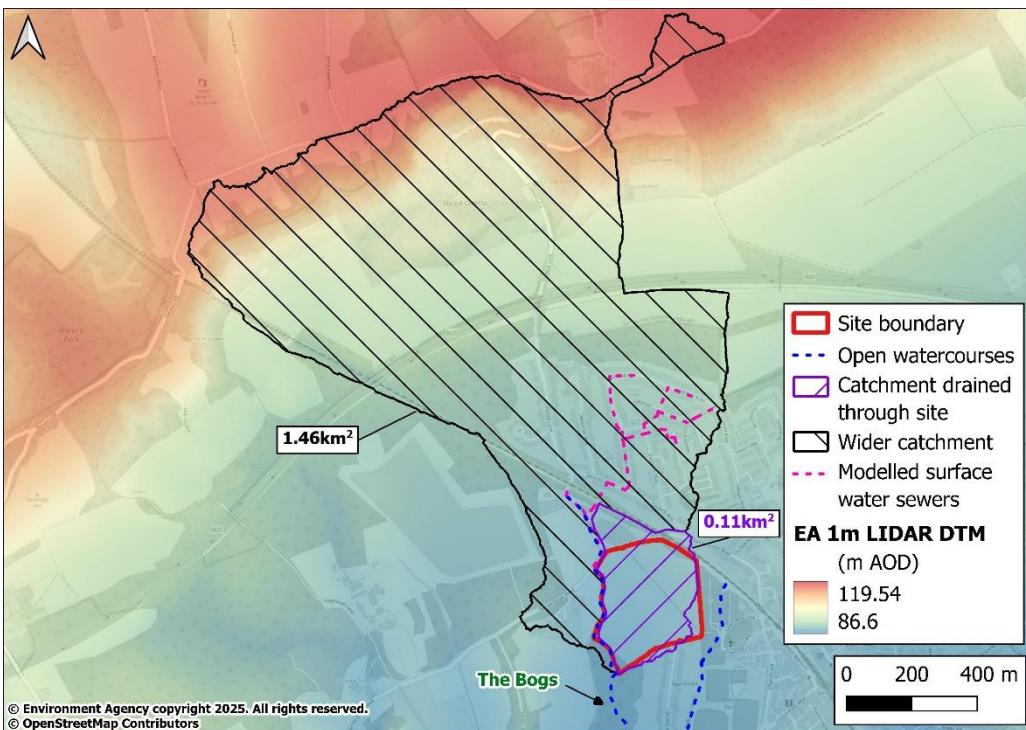


Figure 1-2: Catchment areas draining to The Bogs during rainfall events

1.11. The Bogs are primarily fed by an ordinary watercourse running along the western site boundary. The ordinary watercourse receives flows from a Southern Water surface water sewer network draining a residential area to the north of the railway line. The sewer outfalls to the watercourse adjacent to the northwest corner of the site. The sewer network mapping is provided in **Appendix A**. An open ditch also runs along Chalkpit Lane before connecting into the surface water sewer network at Barrow Green Road.

1.12. During a typical rainfall event, the sewer network and ordinary watercourse drain an area of approximately 1.46km² to The Bogs at the downstream extent of the site. The site and immediately adjacent area drains through to The Bogs via a topographic catchment with an area of approximately 0.11km².

2. Model Updates

- 2.1. To allow for the impacts on The Bogs to be assessed during higher frequency, lower magnitude storm events, the hydrological assessment undertaken as part of the existing hydraulic modelling was updated to derive new rainfall profiles using ReFH2 methodologies. The assessment was undertaken in line with the approach used in the existing modelling.
- 2.2. Rainfall hyetographs were generated for the 1 in 1-year, 1 in 2-year, 1 in 5-year, and 1 in 10-year storm return periods. The design and net rainfall profiles were derived and applied to the model in line with the approach used in the existing approved model.
- 2.3. Within the post-development scenario, the overall catchment model previously removed rainfall from the developed site catchment as this area was picked up by the site surface water piped drainage design. The outflow from the surface water network was applied as a point inflow within the overall catchment model. The outflow from the surface water drainage network was applied at a constant rate restricted to a 1 in 2-year greenfield discharge rate for all rainfall events.
- 2.4. The latest surface water drainage proposals restrict runoff to greenfield rates. This means that flows from the development will be discharged at equivalent greenfield rates so it does not exceed or reduce the natural runoff rate that would occur if the land were undeveloped (greenfield). As a result, the post-development catchment model was revised with rainfall applied across the entire site, replicating the pre-development scenario with runoff generated in the model at greenfield rates.
- 2.5. This approach allows for a direct comparison between the pre- and post-development scenarios to demonstrate the impacts of the ground level modifications associated with the development on flows reaching The Bogs. The technical note prepared by Motion provides more details on the impacts of the on-site surface water drainage network on runoff from The Site to The Bogs.
- 2.6. The development proposals incorporate ground level reprofiling along the west of the site to divert an overland flow path away from residential development during extreme rainfall events. The post-development scenario was updated to ensure the latest configuration of the reprofiling was represented, including the interaction with adjacent drainage basins designed to be set above the peak flood levels during the 1 in 100-year plus 45% climate change (CC) storm event. As with the previous

modelling, post-development ground levels represented within the model are indicative and subject to detailed design.

2.7. Flow result lines were added to the pre- and post-development models. These flow result lines will assess flows entering The Bogs in the pre and post development scenario and their impact.

2.8. No other updates were made to the pre- and post-development model, with the modelling undertaken in line with the existing approved model that was used to inform the FRA approved by the LLFA. As per the previous study the model outputs were filtered to remove depths below 0.05m.

2.9. The revised pre- and post-development models were also run for the following storm events: 1 in 1-year, 1 in 2-year, 1 in 5-year, 1 in 10-year, 1 in 30-year, 1 in 100-year, and 1 in 100-year plus 45% climate change uplift.

3. Impacts of development proposals on flows

Pre-development scenario

3.1. The peak modelled flood extents during the pre-development scenario are shown in

Figure 3-1. The model outputs show that during the lower magnitude, higher frequency storm events, flows conveyed towards The Bogs are predominantly via the ordinary watercourse that is fed by flows from the Southern Water sewer and wider catchment. The overland flow path through the site is only predicted to form in the higher magnitude, more extreme storm events.

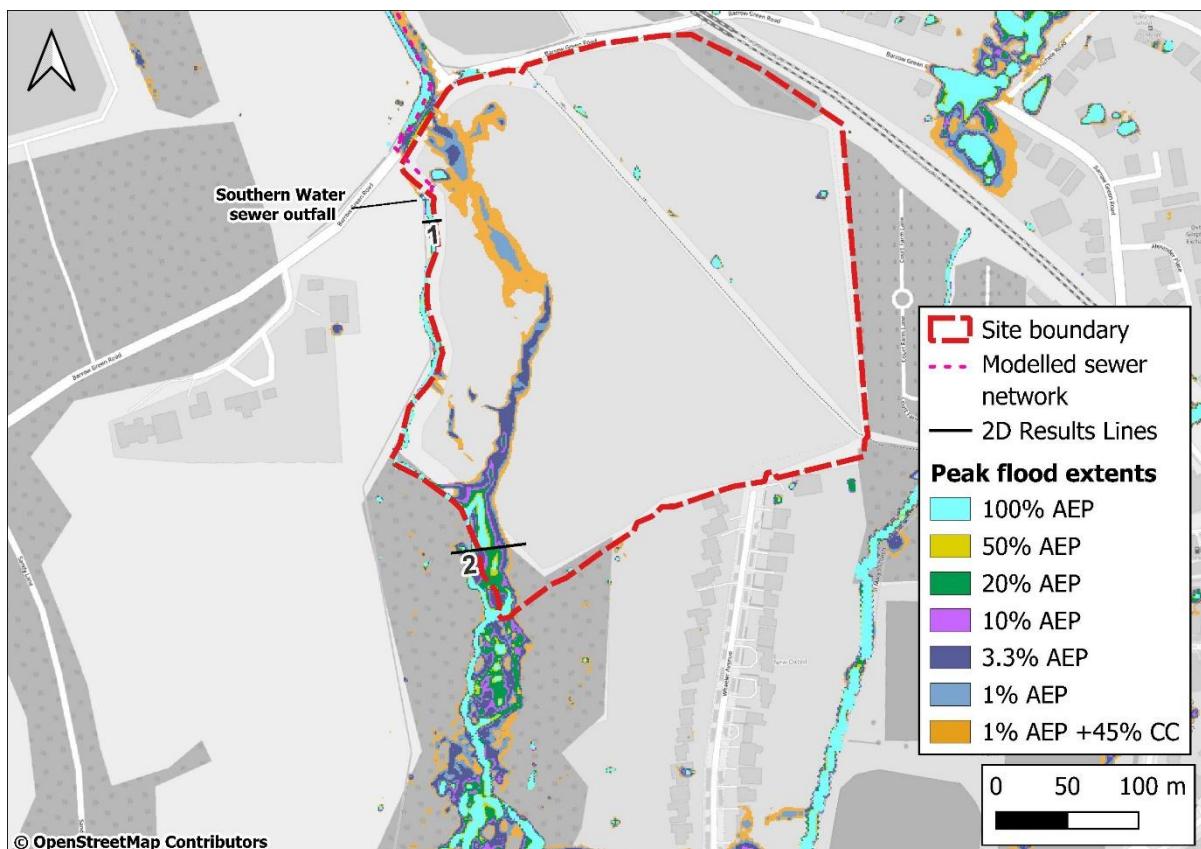


Figure 3-1: Pre-development scenario peak modelled flood extents

3.2. The first peak flow result line (1) is located within the ordinary watercourse immediately downstream of the outfall from the Southern Water sewer (result line 1). The second peak flow result line (2) is located within The Bogs at the downstream extent of the Site (result line 2). The flows associated with the various events are shown in **Table 3-1**. The location of the result lines is shown in **Figure 3-1**.

Table 3-1: Pre-Development peak flows at results lines shown in Figure 3-1

Return period	Results Line peak flow (m ³ /s)		
	1	2	Diff
1 in 1-year	0.17	0.19	0.02
1 in 2-year	0.22	0.24	0.02
1 in 5-year	0.41	0.45	0.04
1 in 10-year	0.55	0.61	0.06
1 in 30-year	0.79	1.09	0.30
1 in 100-year	0.87	1.42	0.55
1 in 100-year + Climate Change	0.99	2.10	1.11

3.3. During the lower magnitude events most of the flows reaching The Bogs is from the ordinary watercourse. During the 100% AEP event there is only a minor increase of 0.02m³/s in the peak flow between the outfall of the sewer network and the downstream extent of the Site, with an increase of 0.02m³/s also predicted during the 50% AEP event. Refer to **Table 3-1** above.

3.4. During the higher magnitude events flows also reach The Bogs via the overland flow path through the site, resulting in a greater difference in the peak flows between the outfall from the Southern Water sewers and the downstream extent of the Site. For example, an increase of 0.30m³/s is predicted during the 3.3% AEP event and an increase of 0.55m³/s in the 1% AEP event.

Post-development condition

3.5. The peak modelled flood extents during the post-development scenario are shown in **Figure 3-2.**

3.6. As with the pre-development scenario, no overland flow path is predicted to form during the lower magnitude events. During the storm events larger than and including the 3.3% AEP event the overland flows are modelled to be diverted around the western area of the site away from the residential development. The ground level reprofiling is designed to divert the flows back towards The Bogs in the same location as the pre-development scenario. This approach ensures there is a negligible impact on how overland flows reach The Bogs.

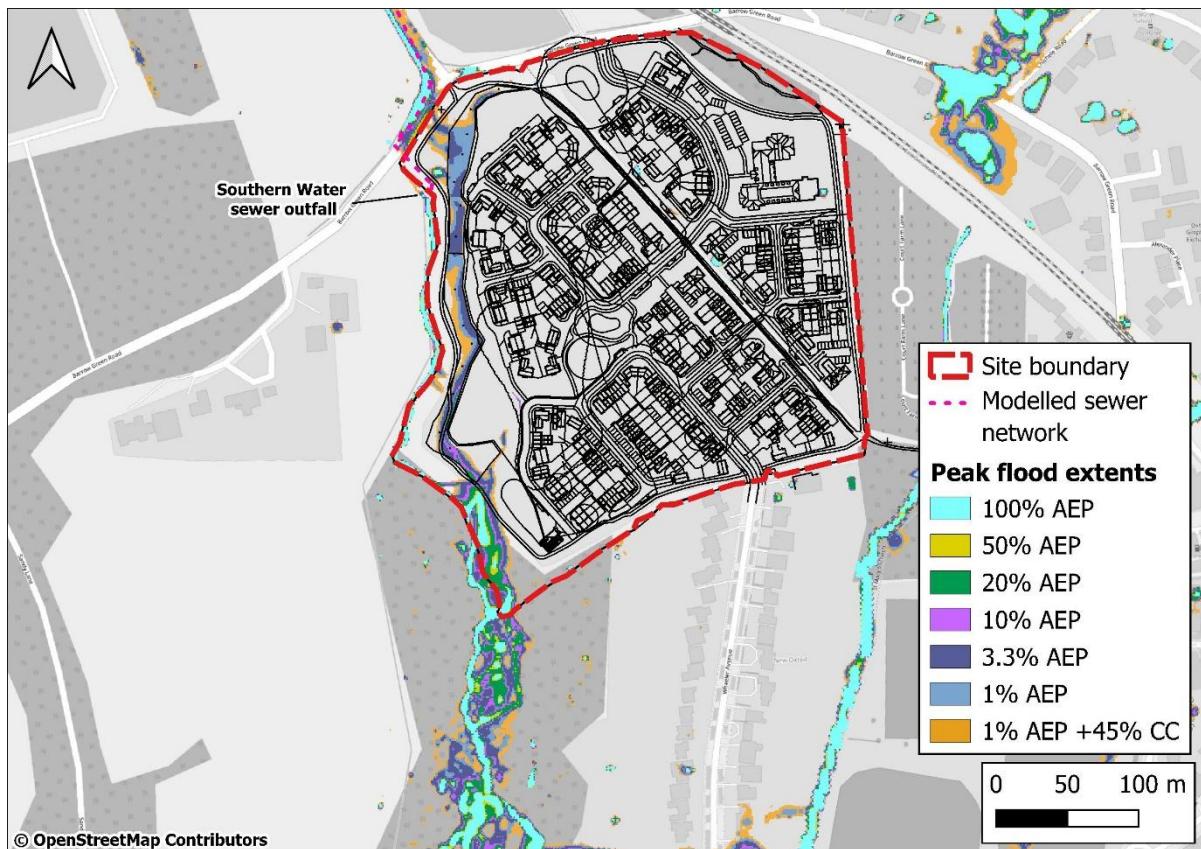


Figure 3-2: Post-development scenario peak modelled flood extents

Impact of proposals on flows to The Bogs

3.7. The peak flows during the pre-development and post-development scenarios for all modelled events for result lines 1 and 2 (see **Figure 3-1**) are shown in **Table 3-2**.

Table 3-2: Pre-Development and Post-development peak flows at results lines shown in Figure 3-1

Results Line	Results Line peak flow (m ³ /s)					
	1			2		
Return Period	Pre-development	Post-development	Change	Pre-development	Post-development	Change
1 in 1-year	0.17	0.17	0	0.19	0.19	0
1 in 2-year	0.22	0.22	0	0.24	0.24	0
1 in 5-year	0.41	0.41	0	0.45	0.47	+0.02
1 in 10-year	0.55	0.55	0	0.61	0.63	+0.02
1 in 30-year	0.79	0.79	0	1.09	1.09	0
1 in 100-year	0.87	0.87	0	1.42	1.41	-0.01
1 in 100-year + Climate Change	0.99	0.99	0	2.10	2.10	0

3.8. The development proposals will have a negligible impact on flows reaching The Bogs via the ordinary watercourse. This is supported by the fact that during each

modelled event there is predicted to be no change to the flows in the watercourse immediately downstream of the Southern Water outfall.

3.9. The comparison of peak flows at the downstream extent of the site also shows a negligible change in the peak flows reaching The Bogs during each modelled event. The model results therefore demonstrate that the proposed ground level modifications within the site have a negligible impact on the hydrology of The Bogs in terms of routing of overland flows.

3.10. The change in peak flood depths between the pre-development and post-development scenarios is shown in **Figure 3-3**. The model results demonstrate that a negligible change in the peak flood depths is predicted during the high frequency, low magnitude 100% AEP event.

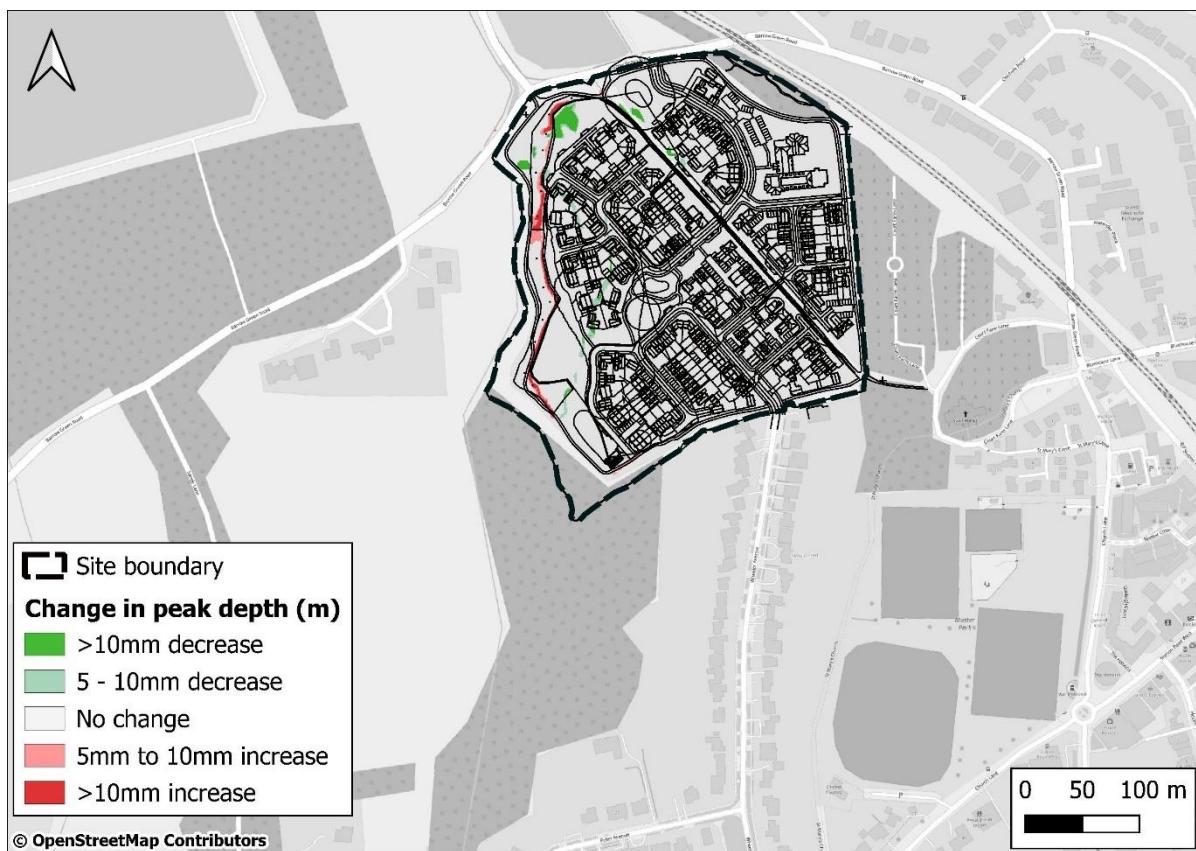


Figure 3-3: Change in peak flood depths – 100% AEP event – pre-development vs post-development scenario

3.11. The change in peak flood depths between the pre-development and post-development scenarios is shown in **Figure 3-4**. The model results demonstrate that a negligible change in the peak flood depths is also predicted during the low frequency, high magnitude 1% AEP plus 45% climate change event.

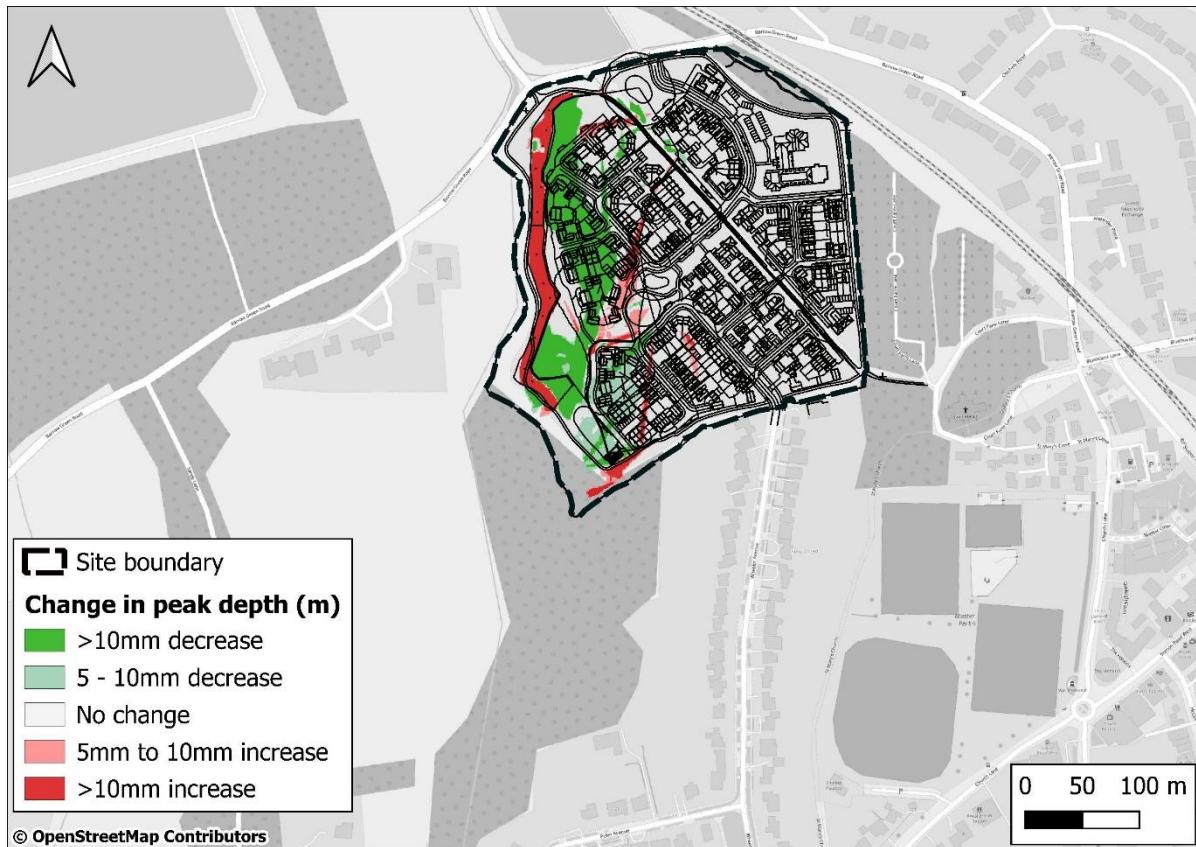


Figure 3-4: Change in peak flood depths – 1% AEP plus 45% climate change event – pre-development vs post-development scenario

3.12. The ground level changes associated with the post-development proposals are therefore considered to have a negligible impact on flood depths and flows within The Bogs during a range of storm events.

4. Summary

4.1. Ardent Consulting Engineers has been instructed by Croudace Homes Limited to undertake technical hydraulic modelling work in relation to a proposed development at Stoneyfields, Oxted.

4.2. This technical note has been prepared to assess surface water flows in the pre and post development scenario entering The Bogs. These surface water flows enter The Bogs via onsite and offsite overland flows. The offsite overland flow route is predicted to form during extreme storm events, entering the site in the northwest corner and flowing overland towards The Bogs located to the south of the site. The Bogs receive flows from an ordinary watercourse running along the western site boundary before flowing through The Bogs.

4.3. A separate note is prepared by Motion to address the contribution of flows to The Bogs from the surface water runoff generated by rainfall falling within the site boundary in the pre- and post-development scenarios.

4.4. The pre-development and post-development catchment models have been updated to reflect the latest proposals, with rainfall hyetographs derived for high frequency, low magnitude storm events not previously assessed. The updated models were rerun for the following storm events: 1 in 1-year, 1 in 2-year, 1 in 5-year, 1 in 10-year, 1 in 30-year, 1 in 100-year, and 1 in 100-year plus 45% climate change uplift.

4.5. The model results demonstrate that during low magnitude storm events the flows reaching The Bogs are primarily via the ordinary watercourse running along the western site boundary. An overland flow path through the site is only predicted to form during extreme rainfall events greater than and including the 3.3% AEP event.

4.6. The development proposals will have a negligible impact on flows reaching The Bogs via the ordinary watercourse. This is supported by the fact that during each modelled event there is predicted to be no change to the flows in the watercourse immediately downstream of the Southern Water outfall providing the dominant source of flow.


4.7. The comparison of peak flows at the downstream extent of the site also shows a negligible change in the peak flows reaching The Bogs during each modelled event. The model results therefore demonstrate that the proposed ground level modifications within the site have a negligible impact on the hydrology of the bogs in terms of the development.

4.8. Comparison of peak flood depths shows a negligible change between the pre-development and post-development scenarios during the high frequency, low magnitude 100% AEP event and during the low frequency, high magnitude 1% AEP plus 45% climate change event.

4.9. The ground level changes associated with the development proposals are therefore considered to have a negligible impact on flood depths and flows within The Bogs during a range of storm events.

Appendices

Appendix A – Southern Water Asset Mapping



Manhole Reference	Liquid Type	Cover Level	Invert Level	Depth to Invert	Manhole Reference	Liquid Type	Cover Level	Invert Level	Depth to Invert	Manhole Reference	Liquid Type	Cover Level	Invert Level	Depth to Invert	Manhole Reference	Liquid Type	Cover Level	Invert Level	Depth to Invert	Manhole Reference	Liquid Type	Cover Level	Invert Level	Depth to Invert	Manhole Reference	Liquid Type	Cover Level	Invert Level	Depth to Invert	Manhole Reference	Liquid Type	Cover Level	Invert Level	Depth to Invert																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		
5101	C	0.00	0.00		9601	F	122.00	120.07		9602	F	120.33	118.03		9603	F	120.20	118.78		9604	F	120.35	118.40		9701	F	124.76	123.34		9702	F	123.17	121.42		0350	S	110.31	108.58		0351	S	113.70	112.16		0450	S	117.39	115.53		0451	S	118.32	117.24		0452	S	119.46	119.22		0453	S	119.92	122.58		0550	S	122.00	120.16		0651	S	121.11	119.53		0652	S	120.77	118.86		0553	S	117.37	116.13		0650	S	124.08	122.37		0651	S	125.22	0.00		0652	S	0.00	0.00		1350	S	110.37	109.12		1351	S	0.00	0.00		1352	S	109.47	108.56		1353	S	109.65	108.30		1354	S	109.33	107.82		1355	S	109.67	108.48		1450	S	112.95	112.12		1550	S	119.53	116.90		1551	S	119.21	116.88		1552	S	117.75	116.76		1650	S	121.03	119.43		1651	S	116.24	117.92		1652	S	118.65	117.63		1653	S	123.74	0.00		1654	S	121.74	119.09		1750	S	123.56	121.89		1751	S	122.86	121.17		2350	S	0.00	0.00		5350	S	0.00	0.00		5450	S	107.25	105.48		5451	S	0.00	0.00		6150	S	102.64	100.19		6251	S	103.38	101.32		6252	S	103.55	100.62		6350	S	0.00	0.00		6351	S	0.00	0.00		6352	S	104.70	0.00		6450	S	109.16	107.29		6650	S	0.00	0.00		6750	S	118.00	116.47		6850	S	121.68	119.87		7450	S	110.21	108.35		7451	S	110.58	108.64		7550	S	116.28	116.78		7551	S	111.87	0.00		7650	S	115.42	113.99		7651	S	115.14	113.24		7652	S	112.79	0.00		7653	S	113.19	111.32		7654	S	112.76	111.24		7750	S	118.82	117.35		7751	S	118.73	116.65		7850	S	122.40	120.39		8550	S	119.97	117.56		8551	S	119.04	117.20		8552	S	118.50	116.90		8650	S	118.02	116.16		8651	S	117.34	115.58		8652	S	117.18	115.63		8653	S	0.00	0.00		8654	S	117.28	116.39		8656	S	118.50	116.81		8657	S	118.00	116.60		8658	S	120.20	118.14		8751	S	121.85	120.02		9550	S	114.17	112.44		9651	S	122.10	120.17		9652	S	120.40	118.10		9653	S	120.40	118.87		9654	S	120.39	118.38		9750	S	123.07	121.54		9751	S	124.90	123.53		3601	F	115.97	113.73		4601	F	114.33	112.83		4802	F	113.78	112.29		4903	F	113.49	111.41		4904	F	113.37	111.41		4905	F	114.34	112.38		4701	F	119.66	117.59		4702	F	117.51	115.59		4801	F	121.55	119.41		5301	F	104.84	102.81		5401	F	109.36	106.28		5402	F	108.13	106.03		5403	F	107.18	105.28		5501	F	110.13	0.00		5502	F	109.16	107.18		5504	F	0.00	0.00		5505	F	0.00	0.00		5506	F	0.00	0.00		5601	F	114.76	113.10		5701	F	120.13	118.78		5702	F	117.74	116.23		5703	F	0.00	0.00		6201	F	103.51	101.79		6301	F	103.59	102.06		6401	F	109.00	107.07		6402	F	108.97	106.50		6501	F	110.27	108.80		6601	F	112.26	110.77		6602	F	0.00	0.00		6603	F	0.00	0.00		6701	F	121.42	119.72		6702	F	117.26	115.85		6801	F	0.00	0.00		6802	F	0.00	0.00		7201	F	103.52	101.56		7202	F	103.97	101.39		7203	F	103.60	101.11		7204	F	103.95	100.87		7401	F	110.25	107.45		7402	F	110.46	107.14		7501	F	112.34	110.14		7502	F	111.85	108.93		7601	F	113.27	111.95		7602	F	115.09	113.64		7603	F	115.29	112.78		7604	F	0.00	0.00		7605	F	0.00	0.00		7606	F	0.00	0.00		7801	F	122.36	120.28		9101	F	104.39	100.37		9301	F	112.10	110.87		9302	F	111.71	109.14		9303	F	111.42	108.49		9304	F	111.63	108.76		9305	F	112.11	108.23		9306	F	109.08	107.51		9307	F	106.88	105.35		9309	F	0.00	0.00		9310	F	0.00	0.00		9401	F	114.19	111.03		9402	F	112.68	0.00		9403	F	0.00	0.00		9501	F	115.01	112.20		9502	F	0.00	0.00		9503	F	0.00	0.00		9504	F	0.00	0.00		9505	F	117.89	114.37		9602	F	115.94	114.41		9603	F	0.00	0.00		9604	F	119.82	118.96		9701	F	121.88	120.45		9702	F	118.93	117.50		9703	F	0.00	0.00		9801	F	0.00	0.00		9201	F	109.46	0.00		9202	F	109.68	0.00		9203	F	0.00	0.00		9301	F	112.33	108.02		9302	F	111.01	107.86	