

Application: 2024/1325

Location: Land north of Chelsham Road, Warlingham, Surrey, CR6 9DT

Proposal: Erection of a phased development for up to 50 dwellings (C3) and a care home of up to 72 beds (C2) with vehicular access from Chelsham Road, public open space, landscaping, Biodiversity Net Gain, sustainable drainage scheme and ancillary infrastructure.

Ward: Warlingham East and Chelsham and Farleigh

Decision Level: Delegated Powers

Constraints – Green Belt, Area of Special Advertisement Consent, Ancient Woodland within 500m, Source Protection Zones, Biggin Hill Safeguarding, Risk of Flooding from Surface Water 30, 100, 1000, C Road Classification, Area of Great Landscape Value

RECOMMENDATION: REFUSE

Summary

1. Outline planning permission (with all matters reserved other than access) is sought for the provision of up to 50 dwellings (C3) and a 74-bed care home (C2) with vehicular access from Chelsham Road. The proposed development would also include the provision of open space within the site to facilitate recreation, a sustainable drainage system with ancillary structures, and landscaping and Biodiversity Net Gain.
2. Other than the principle of development, the only other matter to be determined is that of access. The proposal is considered to be acceptable in this respect. The application site lies within the Green Belt; however, very special circumstances exist in this case that meet the requirements of Paragraph 153 of the National Planning Policy Framework (NPPF). The proposal is considered to be acceptable with regards to highway safety, flood risk, residential amenity, impact on the public right of way and trees.
3. Noting that the layout, appearance, scale and landscaping of the development and all associated impacts of those elements of the proposal would be considered at reserved matters stage.
4. However, the applicant has failed to address issues raised by the Surrey Wildlife Trust (SWT) in regard to bird assemblage, specifically skylarks. SWT have also raised concerns regarding the assessment of the lowland mixed deciduous woodland for Biodiversity Net Gain purposes and do not consider it to achieve a HPI status. This would impact the baseline on-site woodland which would ultimately impact the degree of BNG required to meet the 10% minimum required by legislation. As such, the proposal is contrary to the Tandridge Local Plan Detailed Policy DP19 which states "*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*" along with the requirements of the NPPF. The planning application should therefore be refused on these grounds, as the acceptability of the principle of development cannot be established.

Site Description

5. The site is located to the east of the Category 1 settlement of Warlingham, lying wholly outside of, but adjacent to, the development boundary, as defined by CSP1. The site is located within the Green Belt. The site was formally allocated in the withdrawn Local Plan under HSG16.
6. Measuring 8.3ha, the site comprises grassland, a horse paddock, a hay storage facility, allotments and woodland, and lies wholly within the Green Belt. Part of the site (to the north of Greenhill Lane) also lies within an Area of Great Landscape Value. The site is bordered to the south by residential development with continuing grassland to the northern border and Mill Common to the east.
7. To the west and southwest lie properties in Alexandra Road and Alexandra Avenue, which represent the edge of the urban area of Warlingham. Access onto the site is via Alexandra Avenue (an unmade road) and Greenhill Lane (a track).
8. This application seeks Outline permission for residential development of up to 50 dwellings and a care home (C2) with up to up 72 beds.

Relevant History

9. Below:

Application Number	Proposal	Decision	Date
2024/1045/EIA	Request for EIA Screening Opinion for up to 50 residential units (use class C3), of which 40% will be affordable and a care home for up to 72 beds (use class C2) along with new open space and associated highway works. EIA Screening Opinion	Not EIA development	14/10/2024
PA/2022/19	Demolition of the existing buildings and structures on the Site to deliver a mixed-use development comprising 55 new dwellings (Use Class C3), including affordable housing, a 72 bed care home (2 storeys) (Use Class C2), the implementation of multi-functional basins, potential play space areas and green features such as tree planting and hedging.	Pre application response issued	10/03/2022
85/865	Erection of three stables	Approved	23/10/1985
CAT/9018	Building for use as shelter and hay store for horses	Approved	16/09/1970

Key Issues

10. The proposal is for up to 50 residential dwellings and a 74-bed care home. The outline application is for access only. Consequently, the primary key issue is whether the development would be inappropriate development in the Green Belt and whether any harm caused to the Green Belt would be outweighed by any Very Special Circumstances. Other primary issues to be considered at this stage would be the principle of development in all other respects and any effects of the development on the local highway network and highway safety.
11. As the application is in outline form, the precise details of the proposal are not set. However, in generic terms, it is still reasonable and necessary to undertake a preliminary assessment of the proposal in terms of various secondary key issues including the character of the locality, the amenities of neighbouring properties and future occupiers, the impact upon protected trees, biodiversity, renewable energy and archaeology.

Proposal

12. Erection of a phased development of up to 50 dwellings (C3) and a care home of up to 72 beds (C2) with vehicular access from Chelsham Road, public open space, landscaping, Biodiversity Net Gain, sustainable drainage scheme and ancillary infrastructure”.
13. The proposal includes:
 - Up to 50 new homes, including at least 40% affordable; (2 storey dwellings)
 - A care home of up to 72 beds; (2 storey building)
 - New access from Chelsham Road for vehicles, cyclists and pedestrians;
 - Links to the Public Right of Way (“PROW”) along Greenhill Lane;
 - 5.95ha of land designated as open space
 - Off-site highway works – upgrading existing pavement

Development Plan Policy

14. Relevant Policies is as follows:

Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP4, CSP7, CSP11, CSP12, CSP13, CSP14, CSP15, CSP16, CSP17, CSP18, CSP19, CSP21, CSP22

Tandridge Local Plan Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP9, DP10, DP13, DP19, DP20, DP21, DP22

Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs) and non-statutory guidance

15. Relevant supplementary planning documents are as follows:
 - Tandridge Parking Standards SPD (2012)
 - Tandridge Trees and Soft Landscaping SPD (2017)

- Surrey Vehicular and Cycle Parking Guidance (2023)
- Nationally Described Space Standards (2015)
- Surrey Landscape Character Assessment: Tandridge District (April 2015)
- Surrey County Council Planning Profile for accommodation with care for older people Tandridge district October 2025
- Planning Guidance for accommodation with care for older people October 2025
- Surrey Design Guide (2002)
- Commissioning Statement (April 2019)
- Green Belt Assessment Part 1 (2015)
- Tandridge Landscape Capacity and Sensitivity Study (2016)
- Interim Policy Statement for Housing Delivery (September 2022)
- Tandridge Councils Open Space Strategy

National Advice

16. National Planning Policy Framework (NPPF) (2024)
17. Planning Practice Guidance (PPG)
18. National Design Guide (2019)

Consultation Responses

19. Responses:

Chelsham and Farleigh Parish Council (first comments)	Various comments
<u>First comments – Date: 20/02/2025</u> <i>“Chelsham and Farleigh Parish Council (‘the parish council’) OBJECTS to this application and asks that it be refused. The proposal is not in accordance with the policies of development plan and the harm that it would cause clearly outweighs any ‘very special circumstances’ that might be identified to justify permission being granted.”</i> The full comments can be viewed on the online Planning Register. The comments address concerns around the Green Belt Policies, Green Belt Evidence Base, harm to the Green Belt purposes and openness, Landscape harm, Flood risk and water management, Transport and access. Their summary has been included below: <i>“There is no dispute that the proposal constitutes inappropriate development in the Green Belt. It would have an adverse effect on at least two of the purposes of the Green Belt, and on Green Belt openness. The scale of development proposed is more than twice as large as anything previously considered through the local plan</i>	

evidence base and therefore gains no support from any of that analysis – quite the opposite since that level was the maximum considered potentially acceptable. The scale of overdevelopment is so significant that it is necessary for the red line boundary to ‘spill out’ into the open countryside of the AGLV. As demonstrated by the verified views, it has a significant visual impact when viewed from the AGLV. More importantly even than that, it would alter the landscape character as experienced from the public rights of way network which forms an integral part of the character area. The assessment of flood risk on the site is incomplete and cannot be relied upon to assess the likelihood of flood damage on site, or elsewhere. Although the applicant claims that their sequential demonstrates that no other suitable sites are available, that assessment has been made on the ‘false premise’ that care home provision, and the number of houses proposed is a requirement rather than a commercial aspiration. Other proposals and other sites to meet housing need will be identified through a local plan making process in due course. The proposals for surface water management – to which no alternative exists – are completely unacceptable and are the subject of objections from Thames Water as service provider and the local lead flood authority. It is inconceivable that connection of surface water outflows from such a large development should be permitted to a combined sewer system which has insufficient capacity (as assessed by the infrastructure provider and expert consultees, not just local experience or opinion) to accommodate them. To do so would place the local community at a risk of flooding and foul water damage from a surcharging system contrary to national planning policy. Even if the shortfall in housing delivery constitutes a very special circumstance which might permit inappropriate development in the Green Belt, the harm of doing so by permitting this application clearly outweighs any benefits and we ask that the application is refused.

Second comments – Date: 19/03/2025

“Chelsham and Farleigh Parish Council (‘the parish council’) would like to make further representations on this application in the light of the Planning Statement Addendum submitted by the applicant on 11 March 2025. In that addendum the applicant argues that the proposal site should be categorised as ‘grey belt’ land as defined in the National Planning Policy Framework published on the 12 December 2024 (‘NPPF’) and the update to Planning Practice Guidance (‘PPG’) published on the 27th February 2025. It goes on to argue that the proposal would not constitute inappropriate development in the Green Belt and therefore does not require ‘very special circumstances’ to be approved.”

The full comments can be viewed on the online Planning Register. The comments address concerns around the Green Belt status, and other matters. Their summary has been included below:

“We urge Tandridge not to accept the applicant’s arguments regarding the status of the site. The fundamental purpose of the Green Belt remains exactly as it was before the recent changes in national policy and this site, taken as a whole, makes a strong contribution to Green Belt purposes. Even if it does, PPG is very clear in stating that: ‘Where grey belt is identified, it does not automatically follow that it should be allocated for development, released from the Green Belt or for development proposals to be approved in all circumstances.’ In the absence of any response by the applicant, our objections to this proposal remain strong and valid and we urge Tandridge to refuse the application.”

Third comments – Date 10/11/2025

Chelsham and Farleigh Parish Council have reviewed the latest documents submitted by Montagu Evans. Our objection to the application remains unchanged. We do not consider the entire site area to be within the 'grey belt' designation, as the northern portion of Greenhill Lane does not meet the criteria and consequently remains inappropriate development within the Green Belt. Importantly, the development of these plots would see a tier 1 settlement spreading towards adjacent open Green Belt in an entirely rural area. This would be contrary to the government's recent advice regarding Green Belt protection, which states that towns should not be allowed to encroach on neighbouring Green Belt, and so for this reason the application to expand Warlingham towards Chelsham should be denied. On Wednesday 10th January 2024, Chelsham and Farleigh Parish Council attended a presentation with Welbeck along with Warlingham Parish Council. The proposal submitted has not undergone any modifications since the woodland was reclassified as 'lowland mixed deciduous woodland, a Habitat of Principal Importance'. We do not believe that the retention of this HPI woodland has been a key consideration, as the linear park has always been part of the proposed development along with the desire to develop the rest of Kennel Farm Field. We have substantial concerns regarding the appropriateness of a linear park within the AGLV, the harm to the skylarks that nest on Kennel Farm Field and the deliverability of the linear park due to no details of cost, design, the types of trees and plants that would be required, and the maintenance requirements. Furthermore, we believe that the applicant has not demonstrated a compelling need for a care home. With no established care model or provider, or consultation with Surrey County Council or Croydon Council, who are responsible for overseeing the Adult Care Strategy. The site makes a strong contribution to openness, both spacial and visual, and the Green Belt purposes of checking the unrestricted sprawl of large built-up areas and safeguarding the countryside from encroachment as well as being Grade 3 agricultural land. Any development would be clearly visible from Chelsham Road and the ridge at the top of Kennel Farm, thereby impacting on the openness and permanence of the surrounding Green Belt. That openness will be lost to accommodate over development with a linear park including "small urban trees" (Ecology Solutions assessment) which are unlikely to be cared for and grow. The site is not in a sustainable location, is not served by adequate public transport and will add to the bottlenecks at Warlingham Green and junction 6 of the M25 on its own account and when added to the developments already approved in Warlingham. The truth is that the only basis on which the developer might overcome the obvious conclusion that the benefits of the scheme do not clearly outweigh the Green Belt and other harm is the figleaf that part of the development is proposed in an area allocated in the defunct local plan. However

- 1. The allocations in the local plan concentrated in the north of the district and a number have already gone forward but due to the passage of time an assessment of Warlingham's ability to take yet more, should be under consideration by TDC at a strategic level.*
- 2. The proposed overdevelopment bears no relationship with that considered in the local plan.*
- 3. The local plan recognised that the site south of Greenhill Lane is ecologically sensitive and in part defined as ecologically unsuitable where it is now proposed to build houses, that north of Greenhill Lane was assessed as not suitable for development yet the application maintains the same proposal for that area as was put forward for the local plan.*

Surrey Wildlife Trust		Date: 22/06/2026
Summary table below:		
<i>Planning Stage</i>	<i>Recommendation</i>	
Prior to determination	Skylark/bird issues remain LPA to consult with Tree Officer with respect to veteran tree Updated BNG Assessment to satisfy minimum information requirements Further consideration of NMG strategy respect to BNG hierarchy and appropriateness of on-site significant enhancements	
Prior to commencement	Sensitive Lighting Management Plan General Biodiversity Gain Condition and HMMP Construction and Environmental Management Plan (CEMP) Badger walkover survey Invasive species management plan Ecological Enhancement Plan	
The full comments can be viewed on the online Planning Register		

Housing Officer (Tandridge)	Date: 31/03/2025
<i>"The revised NPPF published on December 2024 mandates that major developments within the green belt must provide 15 percentage points above the highest existing affordable housing requirement. Since our highest existing requirement set out in CSP4 is 'up to 34%', the developer must provide 49% affordable housing on site. The applicant recently submitted a planning statement Addendum which confirms that the applicant will commit to providing 50% affordable housing onsite. This proposal is in accordance with paragraph 157 of the NPPF and equates to 25 affordable units, contributing positively to the district's affordable housing supply. We expect to see a tenure split of 75% rented and 25% shared ownership. To meet the affordable housing requirements set out in HS4, the following types and sizes of dwellings should be provided:</i> <i>1. Affordable Housing for Rent / Social rent Dwelling mix (and National Space Standards will apply):</i> <i>a. 10%-20% 1 bed 2 person dwellings</i> <i>b. 45%-55% 2 beds 4 person dwellings</i> <i>c. 25%-35% 3 beds 5 person dwellings</i> <i>2. Shared ownership (and National Space Standards will apply):</i> <i>a. 60%-70% 2 bed 4 person dwellings</i> <i>b. 10%-20% 3 bed 5 person dwellings</i> <i>Due to concerns over affordability, the provision of 4+ bedroom affordable houses will not be supported by the Council unless there is a strong justification for this need. The applicant is encouraged to enter into discussions with an affordable housing provider at the earliest opportunity. The affordable housing units should be spread across the site to avoid a clear demarcation between open market units and affordable provision. Additionally, the design should be tenure blind in regard to design and materials."</i>	

NHS Property Services	Date: 03/03/2025
<i>"NHS Surrey Heartlands ICB have completed their review of the above referenced application to determine its potential impact on local healthcare infrastructure. The</i>	

ICB consider that there is sufficient primary care capacity locally to address the demand generated by the development and therefore will not be seeking a S106 healthcare contribution from this application."

The full comments can be viewed on the online Planning Register

Local lead Flood Authority – Surrey County Council	Various comments
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First comments – 03/02/2025

"We object to the proposed development. The proposed surface water drainage scheme does not meet the requirements set out in the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems. Insufficient information has been provided."

The full comments can be viewed on the online Planning Register

Second comments – Date 21/11/2025

"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."

The full comments can be viewed on the online Planning Register

Highways – Surrey County Council	Date: 05/03/2025
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"The proposed development has been considered by the county highway authority who having assessed the application on safety, capacity and policy grounds, recommends conditions be imposed in any permission granted."

The full comments can be viewed on the online Planning Register

Warlingham Parish Council (first comments)	Date: 12/02/2025
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"Warlingham Parish Council strongly objects to this planning application (50 dwellings and a 72-bed care home). Councillors reviewed this proposal at its Planning Committee meeting on the 4th February and their reasons for objecting are summarised below:

- Inappropriate development with no very special circumstances to outweigh the harm to this Green Belt land which forms a buffer of green open space between the settlement of Warlingham and Chelsham and which prevents urban sprawl. This site also currently serves to prevent the urbanization at the built edge of Warlingham, safeguards the countryside from encroachment and preserves the setting and character of this part of the Parish.*
- Development would cause harm to the character of this open landscape by virtue of the large care home alongside the Chelsham Road, the number and density of housing and the inclusion of flatted developments.*
- The unacceptable risk to road users by virtue of the creation of a main vehicular access point on to a narrow, winding and hilly road. Our knowledge of this local road gives rise to concerns over traffic speeds*

and the risks associated with any attempt to make a right-angled turn into and out of the site.

- Inadequate drainage infrastructure in a location already associated with poor drainage and which has associated issues of surface water run-off into surrounding land including paths and roads. The Parish Council notes with great interest the objection raised by the Lead Local Flood Authority (Surrey County Council).*
- It is also noted that Thames Water have stated that, in respect of surface water management, network reinforcement works would be necessary for this scale of development which, on the basis of the submitted application, gives rise to very serious concerns about the potential for harm and adverse impacts on future occupants and the wider community.*
- There is insufficient justification for a care home. The building, as presented, would be over-sized, overbearing and harmful to the character of the area. The very limited local public transport services (for staff and visitors) would not meet the demands of a facility of this scale.*
- This development would lead to a loss of amenity to neighbouring properties and those local residents who currently use the public footpath network and green open spaces for enjoyment and recreation.*

As a result of all of the above the Parish Council asks, and fully expects you to refuse this application."

Warlingham Parish Council (second comments)

Date: 09/05/2025

First comments - Date: 09/05/2025

Warlingham Parish Council recently met to review the Planning Statement Addendum submitted by the applicant. Here are the comments of the Council: WPC agrees with the submission of Chelsham & Farleigh Parish Council that the site shouldn't be categorized as 'Grey Belt' as it performs strongly in relation to Green Belt purpose 'A' – "to check the unrestricted sprawl of large built-up areas". Warlingham is part of the very large built-up area of Greater London, there being no gap between the London Borough of Croydon and Warlingham: Warlingham's boundaries to the south and east represent the edge of the London conurbation and are, therefore, critical in stopping the sprawl of the greatest built-up area in the country. If this development was approved, then similar incursions into this critical area of the Green Belt south of the London conurbation could also be justified, thus compromising the remaining Green Belt in the TDC Local Plan, contrary to para 155 of the NPPF. In addition, to be appropriate development in the Green Belt, the application would need to:

- i. Meet unmet need*
- ii. Provide 49% affordable housing*
- iii. Provide improvements to infrastructure*

It doesn't. No adequate justification for a 72-bed Care Home for Surrey has been provided as pointed out by Surrey County Council; only 40% affordable homes is provided (see further comment below) and there are no material improvements to infrastructure. Therefore, the development of this site is inappropriate in the Green Belt requiring very special circumstances to be justified, which do not exist. The Council reiterates its other objections relating to significant harm to the character of the area, highways danger, an inadequate drainage strategy and an unsuitable location for a Care Home, which have not been addressed by the applicant. If the

applicant is willing to provide 50% affordable housing, this would need to be made a condition of any permission but, in any case, the Council asks that Tandridge District Council refuses this application for all the other reasons stated.

Second comments – Dated 11/07/2025

Warlingham Parish Council has reviewed this case once again including the applicant's recent Planning Statement Addendum. Other further consideration, the Council wishes to revoke and replace its previous submission to you dated 9 May 2025 with the following: WPC agrees with the submission of Chelsham & Farleigh Parish Council that the site shouldn't be categorized as 'Grey Belt' as it performs strongly in relation to Green Belt purpose 'A' – "to check the unrestricted sprawl of large built-up areas". If this development was approved, then similar incursions into this critical area of the Green Belt south of the London conurbation could also be justified, thus compromising the remaining Green Belt in the TDC Local Plan, contrary to para 155 of the NPPF. In addition, to be appropriate development in the Green Belt, the application would need to:

- i) Meet unmet need*
- ii) Provide 49% affordable housing*
- iii) Provide improvements to infrastructure*

It doesn't. No adequate justification for a 72-bed Care Home for Surrey has been provided as pointed out by Surrey County Council; only 40% affordable homes is provided (see further comment below) and there are no material improvements to infrastructure. Therefore, the development of this site is inappropriate in the Green Belt requiring very special circumstances to be justified, which do not exist. The Council reiterates its other objections relating to significant harm to the character of the area, highways danger, an inadequate drainage strategy and an unsuitable location for a Care Home, which have not been addressed by the applicant. If the applicant is willing to provide 50% affordable housing, this would need to be made a condition of any permission but, in any case, the Council asks that Tandridge District Council refuses this application for all the other reasons stated.

Third comments – Date: 7/11/2025

"The Planning Committee of Warlingham Parish Council met on the 30th September and, as a result of its deliberations, object to this application. The reasons are as follows:

- ☐ *The apparent removal of the Local Equipment Area for Play (LEAP) from the proposed scheme with no equivalent recreational provision added to the development site i.e. within the extents south of Green Hill Lane*
- ☐ *The objection(s) raised by the Lead Local Flood Authority (LLFA) to the proposed flood mitigation measures. This application should not be progressed any further, not until you and the LLFA are completely satisfied with the details provided. The lack of a credible flood risk strategy for this site is a reason, in its own right, to refuse this application.*
- ☐ *This is a Green Belt designated site and no very special circumstances have been substantiated by the applicant that would outweigh the harm to this area of open green space on the eastern edge of the settlement of Warlingham. As covered in documentation relating to 2024/1393, 1 Park Lane, Warlingham, CR6 9BY (prepared for the TDC Planning Committee of 24/7/2025, agenda item 4.1), this site cannot be considered 'grey belt' and the proposed development of land north of Chelsham Road would equate to urban sprawl. The above is the Council's response to amended and additional details submitted by the applicant. As you are aware, the Councillors of Warlingham have raised a number of objections previously, which include:*

- ☐ Warlingham Parish Council agrees with the submission of Chelsham & Farleigh Parish Council that the site shouldn't be categorized as 'Grey Belt' as it performs strongly in relation to Green Belt purpose 'A' – "to check the unrestricted sprawl of large built-up areas".
 - ☐ If this development was approved, then similar incursions into this critical area of the Green Belt south of the London conurbation could also be justified, thus compromising the remaining Green Belt in the TDC Local Plan, contrary to para 155 of the NPPF.
 - ☐ In addition, to be appropriate development in the Green Belt, the application would need to:
 - i) Meet unmet need
 - ii) Provide 49% affordable housing
 - iii) Provide improvements to infrastructure
- It doesn't. No adequate justification for a 72-bed Care Home for Surrey has been provided as pointed out by Surrey County Council; only 40% affordable homes is provided and there are no material improvements to infrastructure. Therefore, the development of this site is inappropriate in the Green Belt requiring very special circumstances to be justified, which do not exist. The Council has other objections relating to significant harm to the character of the area, highways danger and the unsuitable location for a Care Home, which have not been addressed by the applicant."*

Countryside Access Officer – Surrey County Council	Date: 14/03/2025
<i>"Public right of way Warlingham Bridleway 177 passes along the centre of the site. We have no objections but would request the following is passed onto the applicant</i> <i>• It is an offence to obstruct or change the surface of a public right of way without express permission from the Highway Authority</i> <i>• Safe public access along the full width of the public footpath must be always maintained.</i> <i>• The increase in housing will see impact on the local rights of way network in the vicinity. The submitted Design and Access Statement (DAS) proposes pedestrian and cycle links to bridleway 177. The DAS also proposes 'strengthening' this route as well as 'integrating' the site with it. We would request a contribution to the improvement of Warlingham Bridleway 177 with works to include vegetation clearance and resurfacing to a specification to be agreed with this department</i> <i>• The applicant should outline what changes are proposed to the surface of the right of way and detailed drawings should be supplied.</i> <i>• An existing permissive bridleway is in place linking the western end of Bridleway 177 linking to Bridleway 87. We would request the applicant considers dedication of this permissive route to a public right of way-Bridleway status.</i> <i>• Should any changes be agreed to the surface of the right of way a commuted sum would be required for ongoing maintenance</i> <i>Applicants are reminded that the granting of planning permission does not authorise obstructing or interfering in any way with a public right of way. This can only be done with the prior permission of the Highway Authority (Surrey County Council, Countryside Access Group)."</i> The full comments can be viewed on the online Planning Register	

Natural England	Date: 04/02/2025
<i>"Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes."</i>	
The full comments can be viewed on the online Planning Register	

Archaeological Officer	Date: 22/05/2025
<i>"The proposed development site has previously been the subject of a programme of archaeological investigations carried out in 2022, comprising a geophysical survey and subsequent, trial trench evaluation. The applicant has provided me with reports detailing the results of both elements of the investigation. The investigations and reporting comply with the requirements of Local Plan policy DP20 and the National Planning Policy Framework, paras 207 and 208. The results of the trial trench evaluation show that apart from a post-medieval field boundary ditch, no archaeological features were recorded. As a consequence, the site is considered to have a low archaeological potential, and no further archaeological mitigation is required in respect of the proposed development."</i>	
The full comments can be viewed on the online Planning Register	

Environmental Agency	Date: 26/09/2025
<i>"We have no comments to make on this planning application."</i>	

Surrey Care Team	Various comments
<u>First comments - Date: 24/02/2025</u>	
<i>"According to the current projections outlined in the Planning Guidance for Accommodation with Care for Older People - Tandridge, there is no anticipated oversupply of residential and nursing care beds by 2035. 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. I also share concerns regarding the feedback on infrastructure support from local healthcare partners. Additionally, as the site falls within the Green Belt, the final decision ultimately rests with Tandridge Borough Council."</i>	
The full comments can be viewed on the online Planning Register	

Second comments – Date 04/11/2025

According to Surrey County Council's Planning Guidance for Accommodation with Care for Older People, Tandridge is projected to face a shortfall in residential and nursing care home beds by 2035. As of January 2024, there were 328 residential care home beds in the district, with a projected need of 436 by 2035, indicating a shortfall of 66 beds. Demand for nursing care beds is also expected to rise, further contributing to the overall gap in provision. This shortfall is particularly significant in the context of complex care needs, including advanced dementia, physical frailty, and multimorbidity. The Council is therefore keen to see the development of facilities that can provide high-quality, specialist care. This includes secure dementia units, sensory gardens, therapeutic spaces, and experienced care providers capable of supporting residents with complex conditions. While the Council supports the development of appropriate provision to meet this growing demand, it is essential that any new care home is supported by the right infrastructure and healthcare resources. As the proposed site falls within the Green Belt, the final decision on planning permission rests with Tandridge Borough Council.

Thames Water

Date: 29/01/2025

"Waste Comments - Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. Following initial investigations, Thames Water has identified an inability of the existing SURFACE WATER network infrastructure to accommodate the needs of this development proposal. As such Thames Water request that the following condition, be added to any planning permission. "The development shall not be occupied until confirmation has been provided that either: - 1. All surface water network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan." Reason - Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (e-mail: devcon.team@thameswater.co.uk) prior to the planning application approval. Water Comments - With regard to water supply, this comes within the area of the Sutton & East Surrey Water Company. For your information the address to write to is -Sutton & East Surrey Water Company, London Road, Redhill, Surrey, RH1 1LJ Tel - (01737) 772000."

Active Travel England

Various comments

First comments – Date: 31/01/2025

"Based on the above, we would encourage the local planning authority to consider our standing advice note as part of its assessment of the application, and for this response to replace our earlier comments. Our standing advice can be found here:

<https://www.gov.uk/government/publications/active-travel-england-sustainabledevelopmentadvice-notes>.”

Second comments – Date 18/09/2025

Standing Advice

AONB Officer – Surrey County Council

Date: 17/02/2025

“This a large development proposal within the AGLV. It does not fall within Natural England's proposals to extend the Surrey Hills National Landscape/ formerly AONB. I note that extensive woodland planting is proposed to screen the proposed development in time from neighbouring landscape views. Further, a submitted LVIA support the proposals. Yet, as having a local landscape designation of significance I consider that its own intrinsic landscape character and merit are a material planning consideration that should be given significant weight. I do not consider that it would be appropriate from a landscape aspect that it should be subject to an ad hoc planning decision to grant permission. The question of its development should more properly be considered through the wider examination and procedures leading to an adopted local plan. In the meantime, without here going into detail, I suggest that an AGLV reason for refusal would be justifiable.”

Surrey Police

Date: 06/02/2024

In conclusion it remains necessary to secure Section 106 contributions or direct CIL funding for policing infrastructure, due to the direct link between the demand for policing services and the changes in the operational environment beyond Surrey Police's control i.e. housing growth and the subsequent and permanent impact it has upon policing. Securing modest contributions means that the same level of service can be provided to residents of new development as it is to existing residents and without compromising frontline services. The consequence of no funding is that existing infrastructure will eventually become stretch to breaking point, and none of the communities we serve will received adequate policing. Whilst national and local funding must continue to cover salary and maintenance costs, there would be insufficient funding to provide the infrastructure required for officers to carry out their job effectively, Surrey Police consider that these infrastructure costs arising directly as a result of the development proposed and that funding for the police under S106 or CIL is both necessary and justified.”

Historic Buildings Officer

Date: 24/07/2025

I have reviewed the application material and historic environment desk-based assessment provided. I agree with the conclusion that there are no designated heritage assets which will either be directly or indirectly affected by this scheme. As such, I have no objection to the scheme on built heritage grounds

Environmental Health Officer

Various comments

First comments – Dated 28/1/2025

I note that the applicant intends to use air source heat pumps as the main heating system. If they do, these can be noisy and affect the residential amenity of neighbours. Therefore, if planning permission is granted, I would suggest that a condition is added stating that noise from the use of ASHP's shall conform to the

advice given in the Institute of Acoustics and Chartered Institute of Environmental Health Professional Guidance Note on Heat Pumps, which recommends a maximum sound rating level of <35 dB at any noise sensitive neighbouring premises. We would also need to see a lighting report to show the position of the lights and adherence to The Institute of Lighting Professionals; Guidance Notes for the Reduction of Obstructive Light GN01:2011.

Second comments

"I can confirm that Environmental Health has nothing further to add to my comments of January 2025."

Contaminations Officer – Tandridge

Date: 11/02/2025

I have reviewed the Phase 2 desk study and accept that most of the site does not require further consideration. However, the existing barn and associated hard standing is located in the area of residential properties and further consideration of this must be provided before the development is completed. On that basis I propose the following condition - At least 28 days before the development hereby permitted commences, a detailed written scheme of assessment consisting of site reconnaissance, conceptual model, risk assessment and schedule of investigation shall be submitted to and approved in writing by the District Planning Authority. Before commencement of development above ground the scheme of assessment shall be carried out at such points and to such depth as the District Planning Authority may reasonably stipulate, including suitable consideration of Asbestos. All laboratory results shall be provided as numeric values in an electronic formatted spreadsheet in accordance with the standards of the Government Guidance for Land affected by Contamination A scheme for decontamination and validation shall then be agreed in writing by the District Planning Authority and the scheme as approved including provision of suitable soft landscaping where necessary shall be implemented before any part of the development hereby permitted is occupied. Any changes to these components shall require the express written consent of the local planning authority.

BHS Access and Rights of Way representative for Tandridge

Date: 02/02/2025

"So far as the current Application is concerned, on behalf of the Society, I object to the Application on the following grounds;

- 1. The land which is the subject of the Application is Greenbelt. Even under the current Governments warped view of what is protected land, there is no way this parcel of land could be described as "grey belt". It is neither waste land, nor an abandoned petrol station, nor a rural junkyard. It is land which is farmed and/or has equestrian usage. The argument that the built section will not be viewable from the main body of Kennel Farm is irrelevant. The proposal is to build on viable Greenbelt.*
- 2. The land is subject to flooding, particularly the Bridleway (Greenhill Lane) . I have seen videos of BW177 after heavy rainfall, and it is awash by at least a foot depth of water. When I rode there is was usually a question of wading through water, particularly in the winter months. Thames water "has identified an inability of the existing surface water network infrastructure to accommodate the needs of this development proposal". They set out a series of complex requirements before any development can go ahead. I suggest that these requirements serve to prove that the land is not suitable for*

development. I walked BW177 yesterday and it was very muddy with standing water, and the surface has been virtually completely washed away, exposing the underlying rock. The water comes from both sides of the Bridleway; the fields and the segment on which it is proposed buildings are erected.

3. The surrounding lanes are very narrow and quite unsuitable for construction traffic or, indeed the traffic which will be generated once the development is complete. Greenhill Lane is a bridleway from Chelsham Road to Sunnybank. It is used by walkers, equestrians and cyclists and should not be used by construction traffic.
4. Your letter, dated 28th, requested a response within 24 days, yet when I walked the Bridleway yesterday there were no Notices for Public viewing at either end of BW177 nor at the northern edge of the proposed site on Farleigh Road. The public cannot respond if you don't erect notices to explain what is proposed.
5. In 2011 , I negotiated with Philippa Gates, (the then SCC ROW Officer for Tandridge), Morgan Robinson from Cluttons, (the then Agents for Kennel Farm), Nicky Thomson,(the then Pasture Management Officer for SCC) and Nick Fuller (acting for his father Rodney Fuller) tenant of Kennel Farm, for a permissive track to link BWs 177 and BW87 and so enable horse riders to keep out the dangerous corner of Sunnybank and Farleigh Road. A permissive path was agreed and the finger posts advertising the route are still in place at both ends of the track. The track is still in situ, and I walked it yesterday. I understand that it is still ridden, and it would be lost if the development goes ahead as mapped.

Should this development be granted I would like a clause in any permission given to ensure this short permissive track (roughly the northern side of the site perimeter between Greenhill Lane and BW87) is formalised as a Definitive Bridleway with a width of 4 metres (Surrey County Council's required width for Bridleway)."

Public Representations/Comments

Third Party Comments

- Development would ruin outdoor, open spaces enjoyed by residents
- Drainage and flooding concerns in Warlingham
- Green Belt acts as a soakaway for standing water and inappropriate development in Green Belt, invasion of Green Belt land. Does not meet Green Belt Policies
- Flooding impacts residents emotionally and financially
- Development would have significant impact on landscape
- The access road will cause safety issues for children and families
- Rural road cannot cope with additional traffic/highway safety concerns
- No capacity for parking along the road or locally, strain of infrastructure
- Knock on impact on M25
- Hedgerows and ancient woodland will be lost
- Impact on ecosystems
- No requirement for more care homes/ no evidence that this is required
- The scale of the development is overwhelming
- Site is located within an Area of Great Landscape Value and development would be detrimental to this designated area
- The site prevents Warlingham from merging with Chelsham
- Poor sight lines from proposed new access road

- The location is unsustainable with a lack of sustainable transport modes
- The proposal fails to respect the character of the area and countryside
- Existing use as a valuable community asset/ open rural space used for recreation
- Footnote 7 should apply due to flooding
- If the site is grey belt it plays a significant role in fulfilling purpose a
- Skylarks exist in the area
- No consideration for impact on M25
- Quantum of exiting housing in the area is sufficient
- Discharging water down to Sunnybank roundabout is unsustainable
- Although allocated, Emerging Local Plan found unsound
- Development will spoil existing public rights of way
- Details within the travel report are inaccurate
- Cycling locally is hazardous
- Noise and light pollution
- Loss of countryside
- Roads are not fit for purpose
- Loss of ALGV
- Open space may attract unsocial behaviour
- W008 was deemed to have a low capacity for housing development
- No consideration to golden rules
- Existing footway gets flooding and unusable in current state
- Scale of care home would be out of keeping
- Development fails to take into account impact on neighbours/visual impact and overbearing impact
- Concerns over attenuation basins, potential odours and maintenance issues
- Lack of transparency
- Proposal conflicts with the purposes of the Green Belt
- Warlingham is a village, site plays important part of prevent urban sprawl
- Site is not grey belt, and it conflicts with Green Belt purposes
- WAR023 was only for 55 units, not 122 units
- No very special circumstances
- Significant intensification of site and harm to openness
- LVIA does not consider topography
- Lack of detail with regards to the care home
- Protection of AGLV should not be dismissed
- Demand for increase infrastructure locally
- Significant environmental impact and loss of trees and wildlife
- The site is highly visible from public viewpoints, development would be out of character
- No local train station
- Site was previously ruled out for development
- The area is not well serviced by public transport
- Urbanising effect on undeveloped land
- Lack of care to residents and local community
- Significant harm to amenity from noise and overlooking
- Issues with parking, turning, loading and access
- Overdevelopment of site and significant traffic generation
- Warlingham does not have the capacity for more people
- Development would permanently change views across countryside
- Development would provide a green light to others
- Access to site is narrow and unsafe
- Transport links are poor locally

- Concerns of safety due to visibility and weather conditions
- Additional strain on police and emergency services
- Unsustainable location where there is lack of choice of transport
- Loss of woodland and hedgerow
- Ancient bridlepaths will be impacted from light and access
- Queries of land for BNG
- View of care home would be imposing on road
- Insufficient evidence to justify the need for a care home
- Kennell farm was ruled out of development in withdrawn local plan
- Loss of open green space
- It will increase home insurance
- More bus stops will cause more traffic
- Overdevelopment in Warlingham in general
- Misleading marketing
- Concerns over location of attenuation basins
- Redevelopment of empty buildings should be first used
- No consideration to golden rules
- Site is highly visible from public vantage points
- Significant overlooking from the development
- No local schools
- Road is not suitable for heavy goods
- LEPA has been removed from the plans
- Replanting of trees takes years to grow
- Unsustainable trip generation
- No justification for loss of Green Belt
- Does not comply with Golden Rules
- HPI will be lost
- Harmful impact of wildlife including birds
- Care home puts extra strain on infrastructure
- Contrary to building regulations
- Need for housing locally

Assessment

Procedural Note and Local Plan Status

20. The Tandridge Development Plan is formed of the Tandridge District Core Strategy 2008, the Tandridge Local Plan Part 2: Detailed Policies 2014-2029, the adopted Neighbourhood Plans, and the Surrey Minerals and Waste Plans. 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.
21. The NPPF is a material consideration in planning decisions, and its policies have to be taken into account in dealing with applications from the day of its publication (with the exception of policy in paragraph 78 relating to the five-year housing land supply) (NPPF December 2024, paragraphs 2 and 231). It is important to note that even though the adopted Development Plan predates the publication of the most recent NPPF, the majority of policies remain up to date. Policies will be given due weight in accordance with their degree of consistency with the NPPF (December 2024, paragraph 232).

22. Tandridge District Council is in process of producing the Tandridge District Local Plan 2024 – 2044 which currently under Regulation 18 Consultation.
23. Therefore, the adopted Development Plan remains the Tandridge District Council Core Strategy 2008, the Tandridge Local Plan Part 2: Detailed Policies 2014-2029, the adopted Neighbourhood Plans, and the Surrey Minerals and Waste Plans.
24. The evidence base technical studies published as part of the Examination for 'Our Local Plan 2033' have however been saved and re-published following the withdrawal of 'Our Local Plan 2033'. As part of the preparation of a new Local Plan for the District, the Council will be reviewing its these technical studies to ensure the new Local Plan is supported by relevant and up-to-date evidence. Until such time that these technical studies are withdrawn, they remain capable of being a material consideration for planning applications.
25. The Council has

Green Belt

Policy Background

26. The proposal site is located within the Green Belt and the National Planning Policy Framework (NPPF) 2024 advises that the fundamental aim of Green Belt is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and permanence and, to this end, paragraph 152 of the NPPF says that new development in this area would be considered as inappropriate and therefore harmful and should not be approved except in 'very special circumstances' (VSC). Further to this Paragraph 153 adds that such circumstances will not exist unless the potential harm to the Green Belt, and any other harm, is clearly outweighed by other considerations.
27. Paragraph 154 of the NPPF sets out a number of exceptions for new development in the Green Belt none of which apply to the proposed development.
28. Local Plan Policies DP10 and DP13 reflect the provisions of the NPPF 2024 and Policy DP10 says that within the Green Belt, planning permission for any inappropriate development which is by definition harmful to the Green Belt will normally be refused. Proposals involving inappropriate development in the Green Belt will only be permitted where sufficient very special circumstances are considered to exist, to the extent that other considerations clearly outweigh any potential harm to the Green Belt by reason of inappropriateness and any other harm. Local Plan Policy DP13 further elaborates how development in the Green Belt may be justified and says that unless very special circumstances can be clearly shown to exist, the Council will regard the construction of new buildings as inappropriate in the Green Belt.
29. Paragraph 155 of the NPPF states that the development or homes in the Green Belt should also not be regarded as inappropriate where all the following apply:
 - a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
 - b. There is a demonstrable unmet need for the type of development proposed;

- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
 - d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157.
30. The NPPF defines grey belt 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.*
31. Paragraph 156 states that where major development involving the provision of housing is proposed on sites in the Green Belt subject to a planning application, the following contributions ('Golden Rules') should be made:
- a. affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;
 - b. necessary improvements to local or national infrastructure; and
 - c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.
32. Paragraph 157 confirms that the affordable housing contribution required to satisfy the Golden Rules is 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50%. In this case, the Local Plan Policies outline a requirement of 34%, as such the Golden Rules would increase this to 49%.
33. It has been established that the site does not meet any exception listed under paragraph 154 of the NPPF. It is therefore important to consider if the development would meet the criteria within paragraph 155 and 156 in relation to grey belt and if complaint, the 'Golden Rules'. This has been broken down into the following sub-headings:
- Paragraph 155, a) – Grey belt definition
 - Paragraph 155, b) – Unmet need
 - Paragraph 155, c) – Sustainable location
 - Paragraph 155, d) – Golden Rules
 - Conclusion on grey belt

Paragraph 155, a) – Grey belt definition (and an assessment against the purposes)

34. In order to establish if the site meets the definition of grey belt, it is important to understand its contribution to purposes a), b) and d). Once established, it is important to consider whether the proposal would fundamentally undermine the

purposes of the Green Belt when taken together. For this reason, all of the purposes are considered relevant and will be assessed below.

35. Paragraph 142 of the NPPF 2024 states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

36. Paragraph 143 of the Framework sets out the five purposes of the Green Belt:

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

37. The Planning Practice Guidance states that purpose a) relates to the sprawl of large built-up areas and that villages should not be considered to be large built-up areas. It also clarifies that purpose b) relates to the merging of town and not villages, and that purpose d) relates to historic towns and not villages

38. The application site is located within area GBA001 of the Green Belt Parcel Assessment which is located in the far northeastern corner of the district, situated between the settlements of Warlingham, Selsdon and New Addington. Within this parcel is the small inset part of Warlingham, separated from the main urban area of Warlingham by a thin strip of Green Belt. The area is typically open fields used for both agriculture and recreation, including horse paddocks and a golf course, as well as several wooded areas. The topography is varied, with some gentle hills and valleys, although the whole area sits on a raised elevation compared with the southern areas of the district.

39. Purpose a) *to check the unrestricted sprawl of large built-up areas* - The Parcel referenced above is positioned between three large urban areas; New Addington, Selsdon and Warlingham. Although the two parts of Warlingham are separated by a thin strip of Green Belt. In the case that a large section of the fields separating Chelsham and Farleigh were developed, then it could be concluded that the outward expansion of the settlements would constitute urban sprawl. The site therefore has an important function in preventing the unrestricted sprawl of Warlingham, which would be significantly adversely affected if the site were to be developed. It is considered that the site, therefore, has a strong contribution to NPPF Purpose a). For this reason, the site is not considered as Grey Belt due to the conflict with purpose a. of the Green Belt.

40. Purpose b) *to prevent neighbouring towns merging into one another* - The towns outside the district to the north of the area are a reasonable distance away and are also well screened from Warlingham, that a reduction in the gap would not greatly increase the risk of the settlements merging.

41. Purpose c) *to assist in safeguarding the countryside from encroachment* - Overall, the site is generally effective at safeguarding the countryside from encroachment by preventing further development beyond the boundaries of the identified urban area. The site would still be highly visible by the public with significant views in and from the site where large areas would be developed by permanent structures of significant massing. The collective quantum, mass, height, scale and volume of the proposed dwellings/care facilities, roads,

parking, manicured landscape, lighting, and general domestic paraphernalia would comprise a substantial amount of new built development spread across mainly open Green Belt land. The development of this land would therefore contribute to encroachment.

42. Purpose d) *to preserve the setting and special character of historic towns* – the application site is not located or make a contribution to a historic town with the closest conservation areas being Farleigh and Fickleshole. There is no visual or physical connection between the conservation area and application site and therefore the site makes no contribution to this purpose.
43. Purpose e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land* - Whilst the development of the previously undeveloped land at this site makes no contribution towards the recycling of derelict and other urban land, in this instance it is considered that the development would not undermine urban regeneration in such a way that the development would conflict with the purpose of the Green Belt.
44. Footnote 55 of the Framework states that the requirement (set out in paragraph 153) to give substantial weight to any harm to the Green Belt, including harm to its openness, does not apply in circumstances where the development is on grey belt land and is not inappropriate. The Guidance states that, where development is not inappropriate in the Green Belt, the test of impacts to openness or to Green Belt purposes are addressed and that a proposal does not have to be justified by very special circumstances. Accordingly, it is not necessary to assess openness of its conflict with purpose e).
45. As outlined within paragraph 32 of this report, it is first important to establish if the site meets the definition of grey belt as defined within the NPPF. It is then important to establish if it meets the requirements of paragraph 155(a) of the NPPF.
46. Footnote 7 relates to the following: habitats sites and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.
47. In this case the only category that appears to be potentially relevant is the designated Area of Great Landscape Value which is designated as a buffer to the National Landscape (formally known as an Area of Outstanding Natural Beauty). However, as this is a local designation, and not a national, one, they are not afforded the same level of protection under NPPF paragraph 11 and footnote 7. Given the distance and intervening built form between the application site and designated National Landscape, it is not considered that the National Landscape itself would constitute a strong reason for refusal in this case.
48. While there is no footnote 7 strong reason for refusal, it is considered that the site does not accord with the grey belt definition as it would conflict with purpose a) of paragraph 143 which relates to urban sprawl within large built-up areas. Further to this, the second consideration requires an assessment against the other purposes not listed within the grey belt definition. The proposal is also considered to conflict with purpose c) of paragraph 143 of the NPPF for the reasons explained. As such, whilst the site may be grey belt land it would the

site would not meet the definition of grey belt, nor would comply with paragraph 155 which states development should not fundamentally undermine the purposes when taken together.

49. For the avoidance of doubt, Officers have continued the assessment below with regards to the other aspects of paragraph 155. However, given the above assessment the site is not considered to meet the definition of grey belt or would comply with paragraph 155 of the NPPF.

Paragraph 155, b) – Unmet need

50. The Council can demonstrate a housing land supply of 1.92 years therefore in terms of the demonstrable need, as Tandridge does not have a 5-year housing land supply the proposal would therefore meet exception d).

Paragraph 155, c) – Sustainable location

51. Planning Practice Guidance confirms that, where grey belt land is not in a location that is or can be made sustainable, development on this land is inappropriate. Local context and site or development-specific considerations are relevant, together with opportunities to maximise sustainable transport solutions. With reference to paragraphs 110 and 115 of the Framework key considerations include the ability of the location to limit the need to travel, offer a genuine choice of transport mode and safe access for all users.
52. Given the location of the site adjacent to the urban built up area of Warlingham, the site has access to various modes of sustainable transport and is within close proximity to key facilities. As such, with respect to the location, the site is considered to be sustainably located.

Paragraph 155, d) – Golden Rules

53. Part d) of paragraph 155 states that where applicable, the development proposed meets the 'golden rules' requirements. This is set out in paragraphs 156 and 157. Paragraph 156 of the Framework states:
- a. 49% of the housing would be delivered as affordable housing, which would be 15 percentage points above what the CS requirement would otherwise be;
 - b. the proposal would deliver improvements to local infrastructure; and
 - c. the proposal would create new green spaces that would be accessible to the public.
54. The proposal would comply with all three points. 50% of the housing would be delivered as affordable housing which would be secured within a Section 106 Agreement, the proposal would also deliver necessary infrastructure improvements, and the proposal would create an area of open space which would be accessible to the public.

Conclusion on Grey Belt

55. The proposal does not meet any of the exceptions set out in paragraph 154 of the NPPF. Upon assessment against paragraph 155, it is concluded that the site does not the definition of 'grey belt' as it does strongly contribute to Green Belt purpose (a). Furthermore, the development would fundamentally undermine the remaining purposes of the Green Belt, namely purpose c), when

taken together across the remainder of the plan. As such, the site is not considered grey belt and would not comply with paragraph 155 of the NPPF.

Overall conclusion of Green Belt

56. In light of the above the land cannot determinatively be considered grey belt and development of the site is inappropriate development in the Green Belt. As such, it is necessary to consider if any very special circumstances exist that would clearly outweigh the harm to the Green Belt which is the test set out within Paragraph 153 of the NPPF. This will be considered at the end of the report having considered all other relevant planning considerations.

Housing Need, Housing Requirement and Housing Supply

57. For plan-making, paragraph 62 of the NPPF (December 2024) explains that strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance.

58. Interim calculations, based on the standard method as prescribed by MHCLG and an interim Housing Market Area comprising the whole of Tandridge District, show the minimum annual local housing need for the district to be 993 dwellings (that is 827 plus 20% buffer for first 5 years).

59. Tandridge District has major policy constraints, including Green Belt covering 94% of the District, two Areas of Outstanding Natural Beauty (National Landscapes), and extensive areas subject to flooding, as well as significant infrastructure capacity constraints within the District (for example around the M25 Junction 6 and other parts of the strategic road network), all of which can reasonably be expected to significantly reduce the housing requirement.

60. Such a reduction was accepted at the Examination for 'Our Local Plan 2033'. A final conclusion on Objectively Assessed Need (OAN) was not reached due to cessation of the Examination, however OAN was calculated as ranging between 266 and 470, depending on the choice of annual population projections, substantially less than the estimated Local Housing Need of 639 resulting from the standard method. The Inspector concluded that the housing requirement should be less than OAN, as defined in the 2012 NPPF, due to a number of factors, including the degree of major policy constraints within the district. It was stated that:

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

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

62. The NPPF (paragraph 62, December 2024) and the Planning Practice Guidance (paragraph 2, housing supply and delivery) set out how Councils should calculate its five- year housing land supply (5-YHLS). This requires that where strategic policies are more than five years old, as is the case for Tandridge District, that the 5-YHLS calculation uses the unconstrained local housing need figure calculated on the basis of the standard method.

63. When this unconstrained local housing need figure is used, the Council accepts that it does not currently have a 5-YHLS. However, for the reasons set out previously regarding the housing requirement, a 5-YHLS figure based on the unconstrained local housing need figure is not considered appropriate in the case of Tandridge District.

64. Whilst the Council seeks to prepare and adopt a new Local Plan to enable it to establish a robust basis for the planning of the district as quickly as possible including having an agreed 5-YHLS, it remains committed to bringing forward new housing sites. It is seeking to do this in line with the criteria set out in its Interim Policy Statement for Housing Delivery, which was adopted as part of the Housing Delivery Test Action Plan (2022).

65. The IPSHD document sets out criteria where development would be considered acceptable and will be used by Development Management for the determination of planning applications. The document states “the primacy of the protection of the Green Belt, Surrey Hills Area of Outstanding Natural Beauty (AONB) and the High Weald AONB, candidate areas for AONB status will be the key planning consideration in determining planning applications under this interim Policy”. Development will be supported where proposals meet the following criteria and are in accordance with the Council’s development plan:

- 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 (see Appendix A);*
- iii. Sites allocated for housing development in adopted Neighbourhood Plans which will make a contribution to the overall delivery of housing in the District;*
- iv. 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;*
- v. Constitute enabling development (for charitable development or heritage asset conservation purposes) (See Appendix B);*
- vi. 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;*
- vii. Sites that deliver flood mitigation measures for already identified areas of the District at serious risk of flooding;*

and any such sites identified according to the above criteria must be deliverable and viable, having regard to the provision of any necessary on-site and off-site infrastructure, affordable housing requirements and payment of the Community Infrastructure Levy.

66. Any such sites identified according to the above criteria must be deliverable and viable, having regard to the provision of any necessary on-site and off-site infrastructure, affordable housing requirements and payment of the Community Infrastructure Levy. All development proposals will be expected to comply with the requirements of the NPPF and the policies of adopted development plan, that is the Core Strategy (15th October 2008), Tandridge Local Plan Part 2: Detailed Policies 2014-2029 (July 2014), all adopted Neighbourhood Plans and Supplementary Planning Guidance where relevant.

67. Notwithstanding the position with respect to Our Local Plan 2033, it is considered that the allocation can still be afforded weight as a result of the Interim Housing Delivery Plan and the manner that it encourages previously proposed allocated sites to be brought forward.

68. The application site subject to this Outline application is one of these sites - (Ref HSG16).

69. The following extract from that policy, provides useful context:

- The exceptional circumstances to justify the release of this site from the Green Belt have been identified and the allocation of this site has resulted in an alteration to the Green Belt boundary. Due to the undeveloped nature of the land, proposals will be required to provide 40% affordable housing.
- Proposals should provide a mix of market housing and extra care accommodations to assist in meeting need local to Warlingham East
- Development will conserve and enhance the setting of the Grade II listed Chelsham Place Farm III. All development proposals must be accompanied by a detailed heritage assessment.
- Development should incorporate tree and shrubbery belts along boundaries to form soft edges to the development.
- Any Public Right of Way within or abutting the site should be retained in liaison with Surrey County Council and TLP31.
- Design and layout should actively seek to create and preserve, clear and defensible boundaries between the edge of the site and the Green Belt to which it is adjacent.
- In accordance with the Infrastructure Delivery Plan (IDP), financial contribution to/onsite provision of the following infrastructure are relevant to the development of this site and will be a requirement of any proposal: Congestion alleviation at Sunny Bank

70. The site is therefore supported by the IPSHD which is a material considering which weighs in support of the proposal.

NPPF Paragraph 11d/Tilted Balance

71. The NPPF (December 2024, paragraph 11) states that a presumption in favour of sustainable development should be applied. Paragraph 11 of the NPPF (2024) further states that for decision making, this means that 'where there are no relevant development plan policies, or the policies which are the most important for determining the application are out-of-date, granting permission' (also known as the 'tilted balance') unless:

- the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.
72. Footnote 7 elucidates that the policies referred to are those in the Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 187 of the Framework) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 72); and areas at risk of flooding or coastal change.
73. The Council is currently unable to demonstrate a 5-YHLS and the delivery of housing has been below 75% of the housing requirement for the past three years. Therefore, for residential applications the 'tilted balance' needs to be applied within the District.

Housing Provision and Balance

74. Policy CSP 7 of the Core Strategy 2008 states that the Council will require all housing developments of 5 units and above to contain an appropriate mix of dwelling sizes in accordance with current identified needs for particular areas of the district, as set out in future Housing Need Surveys and Strategic Housing Market Assessments.
75. The submitted Planning Statement in section 4.10 outlined the indicative building mix. This is included below:
- 1-bed maisonette: 2 units
 - 1-bed flat: 2 units
 - 2-bed flat: 4 units
 - 2-bed house: 10 units
 - 3-bed house: 22 units
 - 4-bed house: 10 units
- Market housing: 30 units
- 2-bed house: 8 units
 - 3-bed house: 12 units
 - 4-bed house: 10 units
- Affordable housing: 20 units
- 1-bed maisonette: 2 units
 - 1-bed flat: 2 units
 - 2-bed flat: 4 units
 - 2-bed house: 2 units
 - 3-bed house: 10
76. In the context of the recommendations of the Council's Strategic Housing Market Assessment, this overall mix of housing is considered capable of being made acceptable at the time that any future reserved matters applications are submitted.
77. Policy CSP4 of the Core Strategy states that the Council will require that a proportion of new dwellings built in the district will be affordable, to be available

to people on lower incomes, unable to afford housing at the prevailing market price or who need to live within the District. The Council's target for affordable housing provision is 50 dwellings per year. The Policy states that:

78. "In order to maximise the supply of affordable housing the Council will require:
- on sites within the built-up areas of 15 units or more or sites of or greater than 0.5 hectare; and on sites within the rural areas (see Annex 3) of 10 units or more that up to 34% of the dwellings will be affordable. The actual provision will be negotiated on a site-by-site basis after taking into account market and site conditions." The policy further notes that: "There will be a presumption that affordable housing will be provided on the development site, however in some circumstances the Council may accept an off-site contribution on another site provided by the developer...If an alternative site is not available and the Council and the developer both consider that it would be preferable that a financial contribution should be made towards affordable housing provision on another site within the District, the Council will require the developer to enter into a legal agreement to secure that provision. The financial contribution will be broadly equivalent in value to the on-site provision."

79. The NPPF (December 2024) describes affordable housing as 'housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers), and which complies with one or more of the following definitions':

- Social Rent: meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent; (b) the landlord is a registered provider; and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.
- Other affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).
- Discounted market sales housing is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.
- Other affordable routes to home ownership is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low-cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts

to be recycled for alternative affordable housing provision or refunded to Government or the relevant authority specified in the funding agreement.

80. Paragraph 8.7 of the accompanying text of CSP4 states that the Council does not regard development proposals for sheltered or extra care housing to be sold or let on the open market as being exempt from the need to provide an element of affordable housing and that Policy CSP4 therefore applies to these forms of housing. However, paragraph 8.8 further notes that: “Unrealistic expectations could lead to development schemes not being viable, not happening and therefore no new affordable housing being provided.” As such it is accepted that: “The percentage requirement should not be regarded as being immovable; the requirement is a target to aim at. The proportion on each individual site will be subject to negotiation having regard to the particular market and site conditions.”
81. The Planning Statement addendum indicates that 50% of the new homes would be provided as affordable housing, this equates to 25 dwellings. This exceeds the requirement in CSP4 and the Golden Rules within the NPPF.

Care Provision

82. Policy CSP7 requires proposals to contain an appropriate mix of dwellings in accordance with current identified needs. It also states that the Council will encourage the provision of housing for the elderly and for people with special needs, where appropriate whilst avoiding an undue concentration in any location.
83. CQC defines a care home as: ‘a place where personal care and accommodation are provided together. People may live in the service for short or long periods. For many people, it is their sole place of residence and so it becomes their home, although they do not legally own or rent it. Both the care that people receive and the premises are regulated.’ The key difference between residential care homes and nursing care homes is the 24-hour presence of nursing staff in the latter settings - residential care homes are therefore referenced by CQC as “care homes without nursing” while nursing care homes are called “care homes with nursing” in their list of service types
84. Surrey County Council has published commissioning statements at borough and district level to assist developers, care providers and local planning authorities on the strategic direction, minimum development expectations and future needs for extra care housing. The Commissioning Statement for Tandridge April 2019 onwards) states that in 2025 there would be an expected demand of 23 beds in residential care homes, this would increase to 116 in 2035.
85. Updated figures were provided in The Planning profile for accommodation with care for older people – Tandridge District Council October 2025. According to the current projections outlined in the Planning Guidance for Accommodation with Care for Older People - Tandridge, there is an anticipated undersupply of residential and nursing care beds by 2035. The Surrey document concludes a need of 57 beds by 2030 and 89 beds by 2035 in Tandridge. These figures highlight a sustained need for more residential and nursing care home beds in the area.

86. The application proposes to develop a 72-bed care home designed to meet the needs of elderly people under class C2.
87. In conclusion, there is an identified need for care provision within Tandridge District, and the proposal would go some way to meeting this demand. This weighs in support of the proposal.

Character and Appearance

Policy

88. The NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It goes on to state that planning decisions should ensure that developments will function well, add to the overall quality of the area, be sympathetic to local character and history (whilst not discouraging innovation) and establish a strong sense of place. It also states that development that is not well designed should be refused.
89. Policy CSP18 of the Core Strategy requires that new development should be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.
90. Policy DP7 of the Local Plan Part 2: Detailed Policies requires development to, inter alia, respect and contribute to the distinctive character, appearance and amenity of the area in which it is located, have a complementary building design and not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design.
91. Policy CSP19 of the Core Strategy states that within the framework for the character and design of density as set out in Policy CSP18, the density of new development within the built-up areas would be within a range of 30 to 55 dwellings per hectare, unless the design solution for such a density would conflict with the local character and distinctiveness of an area where a lower density is more appropriate.
92. Policy CSP21 of the Tandridge District Core Strategy 2008 advises that the character and distinctiveness of the districts landscapes and countryside will be protected for their own sake and that new development will be required to conserve and enhance landscape character.
93. Paragraph 41 of the National Design Guide stipulates that “well designed new development responds positively to the features of site itself and the surrounding context beyond the site boundary.” Paragraph 49 also states that the “identity or character of a place comes from the way buildings, streets, spaces, landscape and infrastructure combine together and how people experience them. Furthermore, paragraph 52 advises that local identity is made up of typical characteristics such as the pattern of housing, and special feature that are distinct from their surroundings. Paragraph 53 articulates that this includes considering the composition of street scenes, individual buildings and

their elements and the height, scale, massing and relationships between buildings.

94. Officers are cognisant that this application has been submitted in Outline with all details, but access reserved. Indicative drawings accompany the application which give an impression of how a development of this scale might be accommodated on the application site. It would not be appropriate to comment on the finer design elements of the proposal. However, given the impact of a major development in this location, wider impacts on character and appearance are considered.
95. The proposal seeks outline planning permission for up to 50 dwellings on the site including a 72-bed care home. An indicative layout has been provided by the applicant to illustrate how this number of units could be accommodated; however, the detailed layout would be dealt with at the reserved matters stage

Description of application site, surrounding area and proposal

96. The application site extends 8.3 hectares and currently comprises of a horse paddock, hay storage facility and wooded area. The proposal would redevelop the land to provide 50 residential dwellings, a 72-bed care home and open space and parking. This is broken down to a developable area of 2.1 hectares to include the residential dwellings are care home, 4.78 hectares of public open space and other space for access etc. The development area is contained on three sides by Greenhill Lane, Chelsham Road, Alexandra Road and Alexandra Avenue and is physically contained by vegetation and boundary treatments. To the north of Greenhill Lane are open fields between the built-up area of Warlingham and Chelsham and Farleigh.

Density, Layout, Scale and Appearance.

97. The residential area (50 dwellings) is approximately 1.5ha, which at 50 homes equates to a density of 33 dwellings per hectare. Within rural areas, the density of development should be within 30 – 40 dwelling per hectare. This is considered acceptable in this case being located on the outskirts of a built-up settlement.
98. The Illustrative Masterplan identifies one main vehicular access point. This access would be located along Chelsham Road and would serve the whole development alone. A pedestrian access would also be provided to the southern corner with Alexandra Road to provide access to the existing footpath connections to Warlingham.
99. The spread of built form across this developable area is generally even. The built form itself is located to the south of and therefore enclosed by Greenhill Lane (akin to a track). The wider site to the north would comprise of the publicly accessible open space where no physical built form would be located. The care home would be located directly southwest of the proposed access road, with dwellings further south and west of this area. Open spaces within the design of the developable area would also offer some relief from built form, whilst also creating separation to boundaries.
100. Indicative elevations have not been provided as part of this application, although the applicant has noted within the submitted Planning Statement and parameter plans that building heights would not exceed 2 storeys. The houses

would primarily be within terraces, pairs of semi-detached buildings and detached buildings including an apartment block to provide flats.

101. Whilst appearance and scale would be dealt with as a reserved matter, in principle two storey developments would be acceptable. A development of this form would provide a varied form of development and would enable the provision of a mix of units across the site. In isolation, the scale of the development would provide scope for a design concept to be developed with appropriate boundary separation which could establish an identity and visual cohesion for the site, though regard would also need to be had to the character of the housing to the south and east of the application site.
102. Overall, it is considered that the proposal would be acceptable with a positive contribution to the open rural character. For the above reasons the proposal would therefore be acceptable in respect to Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies and Policy CSP18 of the Core Strategy.

Landscape Impact

103. Part of the application site lies within an Area of Great Landscape Value – whilst no built development is proposed within the AGLV, development would border the AGLV and would have the potential to affect the setting of the AGLV. Policy CSP20 applies the same stringent principles to the AGLV as it would the National Landscape, and therefore development within, or that would affect the setting of the AGLV would be resisted. The site would be considered a “valued landscape” on the basis of its designation as AGLV of which the High Court decision *Stroud DC v Secretary of State and Gladman Developments Limited [2015] EWHC 488 (Admin)* confirms that a landscape need not be in a designated area (e.g. AONB) to be “valued” but must demonstrate qualities beyond that of just countryside to be considered “valued” – the landscape is considered “valued” by virtue of its designation.
104. The site lies in the far western part of the North Downs National Character Area (NCA 119), as identified by Natural England’s Character Map of England. The site also lies within the far western part of the CD6: Forestdale to Woldingham Chalk Down with Woodland Landscape Character Area (LCA), as identified in the Surrey Landscape Character Assessment: Tandridge District (April 2015). The northern section of the site is also located within an Area of Great Landscape Value.
105. Areas of Great Landscape Value are areas in the district that have been identified for many years in successive local plans as having significant landscape value that should be protected. Given their identified landscape sensitivity and contribution to the character of the area, AGLVs perform an important role in ensuring development is sustainable in terms of meeting environmental objectives. AGLV, therefore, retains significant status and any proposals to develop on them are deemed to represent unsustainable development.
106. The potential for the site to accommodate new housing development in Tandridge was assessed in the October 2016 Tandridge Landscape Capacity and Sensitivity Study (LCSS), which was produced as part of the evidence base for the Local Plan 2033. The LCSS identified that land on the southern side of Greenhill Lane (comprising land parcels WAR011 and WAR23) has a high capacity to accommodate new housing in landscape terms. The assessment concluded that both land parcels were relatively unconstrained “with a high

landscape capacity for housing development, provided that the form of new development proposals are closely related to, and in scale with, existing settlement adjacent to the site.”

107. The LCSS also identified that land on the northern side of Greenhill Lane (comprising land parcel WAR008) has a low capacity to accommodate new housing in landscape terms due to its inconsistency with the existing settlement form/pattern, its contribution to the separation with Chelsham and low potential for successful mitigation.
108. In terms of the landscape impact, a Landscape and Visual Impact Assessment has been prepared by SCARP landscape architecture environmental planning. The LVIA concludes that overall, the development is considered to comply with Policy in respect of landscape and visual issues.
109. The proposed development would result in mostly low to moderate visual changes across surrounding viewpoints, with the greatest initial impact occurring from nearby roads and bridleways, particularly from Alexandra Road and Greenhill Lane where views of new housing and a care home would replace existing open fields and vegetation. While Year 1 impacts would generally be adverse, due to the introduction of built form, road markings, and loss of existing trees, these effects would diminish significantly by Year 15 as new planting matures, with vegetation increasingly enclosing and softening views. In most directions, including from Chelsham Road, Harrow Road, and Bridleways 87 and 177, the long-term visual effects would be slight to moderate and neutral in character, with the well-vegetated landscape character largely conserved.
110. Whilst it is noted that it formed part of the evidence base for the formerly Emerging Local Plan which has been withdrawn, it is considered that the Landscape Capacity and Sensitivity Study provided a fair commentary of the site and its context which can help to inform the assessment of Officers. This stated that the potential landscape impact of the site was examined in 2016 Capacity and Sensitivity Study in the lead into the emerging Local Plan in terms of landscape sensitivity to development. The site WAR011 and WAR023 was judged to have a slight landscape sensitivity and slight landscape value.
111. To the southwest, housing along Alexandra Avenue has open views onto the site. To the south, along Chelsham Road, there are open views into the site through gaps in boundary vegetation. Fields and housing to the northwest have distant views onto the upper slopes of the site. These are within the current extent of the Area of Great Landscape Value. Glimpsed views are possible from the eastern end of Bridleway 177 to the north of the site. Overall, the visual sensitivity is judged to be Moderate.
112. With slight sensitivity and value, WAR023 is a relatively unconstrained site with a high landscape capacity for housing development provided that the form of new development proposals are closely related to, and in scale with, existing settlement adjacent to the site.
113. The site displays a reasonable degree of visual enclosure, with limited local views, where new development would be seen in context of the existing development of Warlingham. There would be some views to and from the site, although it is agreed that these would be localised. The site by virtue of its open undeveloped nature would contribute to the open character of the AGLV to some degree; however, taking into account its context adjacent to the urban

extent it would not strongly contribute to the principles for AGLV's as outlined within Policy CSP20. The redevelopment of this site to provide an urban development would remove the sites contribution to the AGLV and therefore would result in some harm; however, taking into account the wider AGLV and the limited effect the site would have on the wider landscape quality, such harm would overall be minimal. The harm will, nonetheless, be considering within the planning balance.

Impact upon neighbouring amenity

114. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect. Criteria 6-9 of Policy DP7 of the Local Plan Part 2: Detailed Policies seek also to safeguard amenity, including minimum privacy distances that will be applied to new development proposals.
115. The above policies reflect the guidance at Paragraph 131 of the NPPF, which seeks amongst other things to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users of development.
116. It is considered that this amount of development could be accommodated such that the amenities of neighbouring occupiers in Alexandra Avenue and Alexandra Road would be adequately safeguarded. It is recognised that some of these properties have an outlook over the site from first floor windows, however sufficient separation distances can be demonstrated to ensure that the minimum separation distances as set out in Local Plan Policy DP7 could be met at the detailed stage. The trees on this boundary would also assist in providing screening for the development.
117. For these reasons, it is not considered that the proposed development would result in significant harm to neighbouring amenity, based on the parameter plans submitted. Suitable relationships with neighbouring dwellings could be achieved at reserved matters stage when the detailed design would be set out.

Living Conditions for Future Occupiers

118. Policy DP7 also requires that development provide acceptable living conditions for occupiers of the new dwellings. In terms of internal accommodation, the proposed dwellings would satisfy the minimum dwelling sizes set out in the Government's Nationally Described Space Standards. The Technical housing standards – nationally described space standard 2015 sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.
119. Proposals should provide a satisfactory environment for the occupiers of both the existing and new development, and appropriate facilities should be provided for individual and communal use including bicycle storage, amenity areas and garden areas (proportionate to the size of the residential units and appropriate for the intended occupiers); as well as facilities for the storage and collection of refuse and recycling materials which are designed and sited in accordance with current Council standards, avoiding adverse impacts on the street scene and the amenities of the proposed and existing properties.

120. The dwellings/units are designed to meet the standard requirements, and the gardens appear to be acceptable with regards to scale and quality. As a result, the indicative proposed units would conform to the required space standards contained within the Nationally Described Space Standards with regards to internal floor space. In addition, the fenestration arrangements would be sufficient to provide natural light and adequate outlook for all habitable rooms associated with the units.

Highways, Parking and Access

121. 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 seeks to ensure that development does not impact highway safety.
122. Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 118 further requires that all development that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
123. The Framework acknowledges that development should only be 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.
124. As the proposed development comprises over 50 dwellings, the applicant is required to submit a Travel Statement. The structure of the Travel Statement should follow the template in section 5 of Surrey County Council's 'Travel Plans Good Practice Guide' and should include an overarching aim which sets out the intended outcome of the Travel Statement, a list of objectives to achieve the aim and a package of measures to promote and encourage sustainable travel to and from the site.
125. The site access is to be assessed at outline stage and such details of the site access from Chelsham Road have been provided.
126. Chelsham Road is a single lane two-way carriageway, some 5.0m in width and routes southwest towards Warlingham. It is subject to a 30mph speed limit and has traffic calming measures at the residential area, including a one-way priority arrangement and speed humps.
127. Access to the site is proposed via a priority junction onto Chelsham Road along the southeastern boundary of the site, approximately 50m west of the junction with Greenhill Lane. The proposed access road will have a 5.5m carriageway width and 6.0m corner radii. 2.0m wide footways will also be provided on either side of the access road and will tie in with the existing footway on the western side of Chelsham Road.
128. A 3.0m wide pedestrian/cycling access will be provided in the south-west corner of the proposed development and will tie in with the existing footway provision located on the western side of Chelsham Road. Furthermore, two 3.0m wide

pedestrian/cycling accesses will be provided onto Greenhill Lane (which forms Bridleway 177).

129. The County Highways Authority has reviewed the proposals and are satisfied that there would not be any detriment to the safe operation of the public highway and that appropriate provision would be made for sustainable modes of transport

Walking and Cycling

130. It is generally accepted that walking and cycling provide important alternatives to the private car and should be encouraged to form part of longer journeys via public transport. The Chartered Institution of Highways and Transportation released two documents, 'Planning for Walking' in April 2015 and 'Planning for Cycling' in October 2014.
131. The NPPF recognises that *"the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel"*. Furthermore, Manual for Streets identifies 'walkable neighbourhoods' as *"having a range of facilities within 10 minutes' (up to about 800m) walking distance of residential areas which residents may access comfortably on foot"*.
132. Although no on-road cycle facilities are provided within the vicinity of the site currently, it is considered that the local highway network is suitable for cycling due to the relatively low speed limit. On site provision for cycle parking would be dealt with at reserved matters.
133. There is currently a 1.5m wide footway on the western side of Chelsham Road carriageway which extends in both directions either side of the site frontage. To the north of the site, the footway is continuous all the way to the junction with Harrow Road. Direct access from the site to this footway is accommodated for to the south of the site boundary with Chelsham Road. To the south of the site, there is a continuous footway provided on the western side of the carriageway which connects with the Sunnybank mini roundabout. A Public Right of Way (PROW), Bridleway 177, exists along Greenhill Lane bisecting the site which links to Mill Common (to the east) and connects to the pedestrian provision on Sunnybank. As such, occupiers and visitors can easily and safely access Warlingham and other nearby areas by walking.

Public Transport

134. The closest bus stops to the site are situated on Sunnybank and therefore are within a 4–5-minute walking distance from the site. This offers a regular service of buses between main towns and local areas.
135. Upper Warlingham Rail Station along with Whyteleafe Rail Station are located approximately 3.5km and 4km west of the site, respectively. Both rail stations are served by two bus routes which serve the bus stops closest to the site and are also within a cycling distance of the site.

Parking Provision

136. Car parking standards for new developments are contained within the 'Tandridge Parking Standards' Supplementary Planning Document (SPD) dated September 2012. As the scheme is in outline, parking provision cannot

be fully assessed at this stage. However, the indicative layout has been prepared to take account of the District Council's parking standards and as such provision in accordance with these standards should be achievable at the reserved matters stage to meet the requirements of Local Plan Policy DP7 in this regard.

Off-site Highway Works

137. The applicant has also proposed a series of off-site highways works along the Chelsham Road, as supported within the Transport Statement. These off-site measures include:
- Widening the existing footway along the site frontage on Chelsham Road to 2.0m (utilising the existing grass verge) and providing a new gateway feature with kerb build out to limit vehicle speeds
 - Financial contribution to fund an improvement scheme to the existing Public Right of Way (PROW), Bridleway 177
 - New bus stops on Chelsham Road to the south of junction with Sunnybank, complete with cantilever bus stops
 - Dropped kerb and tactile paving crossing will be introduced to ensure bus services in both directions can be accessed.
138. These have been reviews and agreed with by Surrey Highways and would be conditioned in the event of an approval.

Trip Generation

139. The residential element of the development is forecast to generate 24 two-way vehicle movements during the morning peak period and 25 two-way vehicle movements during the evening peak period. This equates to less than one vehicle movement every two to three minutes.
140. The care home will generate 12 vehicle movements during the morning peak period and 9 vehicle movements during the evening peak period, which equates to just one additional vehicle movement every six minutes
141. Overall, these low levels of flows increase are unlikely to be noticeable, and the proposed development will not have a material or adverse impact on the operation or safety of the existing local highway network.

Conclusion

142. Surrey County Council Highways Authority have been consulted with regards to both the Section 106 and the proposed details/plans for the site access. The County Highways Authority do not object to the scheme subject to the recommended conditions as outlined within this report and the following off-site highways improvements/finance contributions to be secured through a Section 106 Agreement.
143. It is noted that no capacity assessment was undertaken for the B269 and Chelsham Road roundabout junction. However, given the scale of the development and the expected number of additional movements through this junction, it is not expected that the proposals would result in a severe cumulative impact to the operation of the public highway with reference to the National Planning Policy Framework 2024, section 9, paragraph 116.

144. Taking the above into account and subject to the imposition of conditions and the Section 106, no objections are raised from a highway safety perspective. The proposal is therefore considered to comply with Core Strategy Policy CSP12 and Local Plan Policy DP5 and the NPPF.

Public Right of Way

145. Public Bridleway 177 runs along Green Hill Lane which intersects with the application site. The Bridleway links Chelsham Road with Sunnybank and is used by various pedestrians and horse riders. The proposed development does not seek to block or divert this route; however, it will see the resurfacing of it to improve its condition.
146. The Surrey County Council Country Access Officer was consulted and has no objections to the proposed development and accepts the works to the Bridleway. In the event of an approval, a financial contribution would be sought for improvement works to the PROW.
147. The proposal is therefore not considered to result in a significant impact on the right of way in terms of usability or public safety nor result in harm to amenity and character to warrant refusal on those grounds.

Landscaping and Trees

148. Policy CSP18 of the Core Strategy requires that development must have regard to the topography of the site, important trees and groups of trees and other important features that need to be retained. Criterion 13 of the Local Plan Policy DP7 requires that where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes the provision for retention of existing trees that are important by virtue of their significance within the local landscape.
149. The Tandridge Trees and Soft landscaping SPD (2017) outlines the importance of landscaping which applies to urban and rural areas and advises that it is *'essential that the design of the spaces around building is given the same level of consideration from the outset as the design of building themselves'*. Trees are not only a landscape environmental benefit but, as the SPD outlines, a health benefit for people which enhances their environment.
150. There are no TPO trees within the site or within close proximity. However, there are a number of mature trees and extensive hedgerow. The application is supported by an Arboricultural Impact Assessment which has regard to the indicative masterplan and parameters plans.
151. To facilitate the proposed development, it will be necessary to remove some trees within the site. They can be quantified as the removal of twenty-one trees of individual distinction, ten groups of intermittent trees/scrub and the partial clearance of a further four, and two hedgerows. It is considered that the loss of trees are generally focused on low quality trees and can be replaced elsewhere on site; however, a detailed assessment from the Tree Officer is outlined below.
152. The Parameter Plan includes the introduction of over 100 new individual trees, 1.72 hectares of woodland and 0.14 ha of structural native scrub planting, which provides a significant uplift in tree numbers across the site.

153. The Tree Officer has reviewed the details and makes the following comments:

"I have considered the submitted plans and the Arboricultural Impact Assessment (dated October 2024) prepared by Aspect Arboriculture. I have also considered the consultation comments made to date by third parties.

The site comprises a network of horse paddocks defined by lapsed hedgerow, scrub, copses of trees and individual trees of various age groups, with part of an adjoining field to the north.

There are currently no trees protected by Tree Preservation Order and the site is not located within a conservation area. However, the trees on the land are protected by virtue of the Forestry Act 1967, insofar as no more than 5 cubic metres of timber could be removed per calendar quarter without first obtaining a felling licence from the Forestry Commission.

None of the land is designated as ancient woodland or priority habitat deciduous woodland. The nearest ancient woodland is to the west, approximately 130 metres away from the field north of Greenhill Lane and would not be affected.

Impact of tree losses

In order to accommodate the proposed layout, there are a total of 21 individual trees to be removed, 10 complete tree groups (comprising multiple trees), 4 partial groups and 2 hedgerows.

As highlighted within the submitted Arboricultural Impact Assessment, all of the trees to be removed are BS5837 'C' or 'U' category trees – those that are unremarkable or of poor quality, or those that are of very poor quality. The trees of individual merit are to be retained.

In term of visual impact, the most significant tree removals are G4 (a copse of mainly ash with scattered field maple, sycamore, hawthorn and elder) and G16 (a row of mainly leyland cypress adjacent to the Chelsham Road).

G4 is an early mature copse of trees that can be viewed best from inside the site, but from outside G4 does provide some visual amenity to residents at the end of Alexandra Avenue. As Alexandra Avenue is a cul-de-sac with no right of way beyond, the public amenity value of the copse is minimal, however. As a whole the group has some value, but G4 is not of a quality that should raise a significant constraint in arboricultural terms in the context of the site as a whole, provided substantial replacement planting is provided.

G16 is a row of early mature leyland cypress, which provides a dense screen between the paddocks and the road. Clearly the loss of the trees would be noticed by members of the public as they travel along Chelsham Road, as it would open up the views of the site, but that is not a bad thing necessarily, and it could be replaced with native hedgerow, which would be beneficial in both ecological, and arguably - visual amenity aspects also.

Two further groups of trees (G8 and G13) are to be removed to make way for the proposed water attenuation basin. These groups collectively contain a large number of trees, which may have significant ecological value. However, from a purely arboricultural and visual amenity perspective the trees are of low value. The scrubby boundary group (G9) and mature trees growing along the footpath

to the north are to be retained, and as such the impact of the loss will be relatively low.

Retention of individual trees is well designed into the layout. In particular T3, T4, T5, T20 and T30 have been given space and prominence as amenity assets of the proposal within areas of green space which can also accommodate compensatory and enhancement planting as shown on the indicative layout.

Clearly the character and appearance of the site will change considerably, but if the principle of development is otherwise considered to be acceptable then I have no arboricultural objections. Overall and on balance I am satisfied that the proposals accord with policy in terms of tree retention and planting, with the layout designed to accommodate the most important trees, and the landscaping an integral element in layout design, making provision for suitable new planting, trees and boundary treatments to enhance the appearance, character and amenity of the site.

There is no landscape plan submitted; however, the illustrative site layout and Landscape and Visual Impact Appraisal provide some detail as to the strategy to be employed, and in that respect, there is more than adequate compensation indicated for the tree and hedgerow losses. There is substantial scope for individual trees to be planted both at roadside and within open spaces. However, there is very little planting shown within individual gardens and this would need to be rectified. I would suggest at least one small garden fruit tree such as cherry, apple or pear should be provided to enhance the tree canopy cover and provide visual interest and wildlife benefit. It is understood that new private garden trees cannot be included within the BNG provision, but that does not mean it shouldn't happen."

154. Though the landscaping of the site falls to be assessed at reserved matters stage, the indicative details submitted shows that a significant number of existing trees and hedgerow would be retained with supplemented landscaping around the site boundaries. Pockets of soft landscaping are proposed around the site with the public open green space. For these reasons it is considered that the various requirements of Local Plan Policy DP7, Core Strategy Policy CSP18 and The Tandridge Trees and Soft landscaping SPD (2017) can be met at the detailed stage, and no objection is therefore raised in this regard.

Ecology

155. The NPPF (December 2024) states that planning decisions should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
156. Policy CSP 17 of the Core Strategy 2014 states that development proposals should 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. The Council will seek to enhance biodiversity by supporting the work of the Downlands Countryside Management Project and by supporting Local Nature Reserves and Community Wildlife Areas.
157. 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.

158. An Ecological Assessment has been prepared by Ecology Solutions dated October 2024. A further report ('Response to Surrey Wildlife Trust Consultations (Bennu Environmental 03.06.2026)) was submitted to the Council following initial concerns raised by Surrey Wildlife Trust, this has also been considered.
159. The Council's specialist advisors are Surrey Wildlife Trust who provided comments on this application. In summary, whilst a number of matters can be addressed by condition, it is considered that there is currently inadequate information in relation to the potential impact of the development both on protected birds, and in relation to Biodiversity Net Gain. BNG will be assessed in the relevant section of this report below.
160. Initially SWT raised the following concerns:
 - The submitted breeding bird survey has limitations in both the number of survey visits and timeframe over which these were conducted.
 - We have seen evidence of the grassland being seasonally wet, it's suitability for overwintering birds (e.g. lapwing) has not been evaluated.
 - The presence / abundance of species such as skylark in the wider field is not known.
 - Two skylark territories (1 confirmed and 1 probable) were identified in the northern grassland area of the site. Ecology Solutions recommended that *"For mitigation and compensation purposes, a precautionary range of 2-3 territories should be adopted to account for survey limitations."*
 - It is not clear how skylark can be accommodated onsite. Given the proposed planting and usage of the area in which the skylark plots are proposed, there is no evidence that this area is suitable or the proposed mitigation and compensation strategy would be effective.
 - The proposed scheme appears to displace skylark (which may be present in the wider field) to the north given the proposed planting in the northern area of the site.
 - Due to the timeframe in the planning and design process at which skylark was identified, there is a lack of evidence that skylark has been considered in line with the sequential steps of the mitigation hierarchy.
161. The above referenced response by Bennu Environmental provides a precautionary assessment of the potential skylark population on the wider field as *"no more than 7–10 breeding pairs or territories"* and they have also assessed that *"only a limited number of additional birds (estimated at 1–2 pairs or territories) could to be displaced as a result of the creation of woodland and public open space"*. Bennu Environmental have concluded ...*"that this would not result in a significant effect on the local Skylark population, given small impacts identified and the availability of wider breeding opportunities in the wider landscape, and there is no requirement for any specific mitigation"*.
162. However, the assessment by Bennu Environmental is based on an estimate of the skylark population using the onsite area survey and size of the habitat; whilst this may be accepted in line with a precautionary principle, it is a

limitation. Their assessment also does not include any consideration of the suitability (or otherwise) of the proposed onsite compensation.

163. Further to this, another response by Bennu Environmental was submitted on the 16th July 2026 and reviewed by Surrey Wildlife Trust. The letter states that: *"SWT's continuing concerns in relation to Skylark are noted. However, Bennu Environmental considers that the displacement of such a small number of potential territories is not significant to the local population"*. However, the detail of the local population is unknown, given that no breeding bird surveys have been completed outside of the red line boundary, to include land to the east where mitigation appears to be proposed. The letter goes on to state that: *"Furthermore, whilst the habitats to be delivered as part of the proposals may not represent optimal nesting habitat, they are considered to provide enhanced resources for local Skylark territories, with greater foraging opportunities available. Therefore, no specific mitigation is considered necessary"*. The landscaping proposal will not deliver nesting habitat for skylark, optimal or sub-optimal, based upon the proposed tree and woodland planting. This is therefore not appropriate mitigation or does not address the issues already raised. The applicant, within this letter, does suggest mitigation could be addressed through condition. However, it is unclear why a condition has been proposed and not an obligation. No evidence has been submitted that a condition for off-site compensation could be achievable or implemented. Therefore, there is no evidence that such a condition could be discharged. In the absence of at least outline evidence and strategy for how off-site compensation could be delivered and would be effective, Surrey Wildlife Trust does not assess that they can update their advice to the Local Authority.
164. The applicant previously provided an Appeal decision (Appeal Ref: APP/Y3940/W/25/3371113) for application (PL/2023/10077). SWT have reviewed this and suggest that for this application there appears to be an overreliance on offsite habitat. It is highlight that there do not appear to be any control measures to secure suitable offsite habitat which is a material consideration to our review.
165. SWT maintain that the application, with respect to skylark (a Species of Principal Importance), does not appear to align with Tandridge Core Strategy Policy DP19 which states *"Planning permission for development directly or indirectly affecting protected or Priority species will only be permitted where it can be demonstrated that the species involved will not be harmed or appropriate mitigation measures can be put in place."* The BNG Strategy would continue to conflict with the mitigation and compensation for Skylark. As such, an objection is raised on this ground.
166. The specialist advice received is considered to be sound. In the absence of such detail providing compensation, the applicant has failed to demonstrate that the proposal development would not harm ecological interests, contrary to the requirements of policies CSP17 and DP19 of the Local Plan.

Biodiversity Net Gain

167. Central Government has introduced a requirement for certain types of development to deliver a minimum of 10% Biodiversity Net Gain (BNG). In line with national policy, Tandridge will require a minimum 10% of BNG to be delivered on most sites (excluding exceptions below and small sites).

168. The Council will seek to apply a mitigation hierarchy as proposed by DEFRA, where proposals should seek to avoid biodiversity loss first, adequately mitigate any unavoidable loss and only at a last resort, compensate the loss. The Council will use the DEFRA BNG spatial hierarchy and will favour the delivery of BNG on site. Off-site local delivery will only be accepted where it can be demonstrated that providing 10% BNG on-site is unreasonable. BNG credits should only be used as a last resort.
169. The Council will assess biodiversity loss and gain through the latest DEFRA Biodiversity Metrics, currently Biodiversity Metric 4.0 for most sites and Small Sites Metric for small sites. Pre-application engagement with the Council over BNG is strongly advised. Any qualifying planning permission will require the submission of a BNG Statement including the following information:
- The pre-development biodiversity value;
 - Steps taken to minimise adverse biodiversity impacts;
 - The proposed approach to enhancing biodiversity on-site; and
 - Any proposed off-site biodiversity enhancements (including the use of credits) that have been planned or arranged for the development.
170. The full biodiversity gain plan should be submitted either with the planning application or after the permission is granted, but before development has commenced. The provision of BNG will be conditioned or will form part of any Section 106 agreement related to the planning permission.
171. The submitted BNG metric shows that the development will achieve a biodiversity net gain exceeding the required Statutory 10%, with enhancements in the built area south of Greenhill Lane and within the substantial green corridor to the north of Greenhill Lane. The net gains include retaining and enhancing key boundary hedgerows and line of trees and high-value individual trees, and providing species-rich grassland, mixed scrub, SuDS feature, high distinctiveness lowland mixed deciduous woodland, additional native hedgerows, urban trees and enhancements to retained ruderal vegetation, mixed scrub and hedgerows.
172. The BNG Strategy originally includes the creation of 'lowland mixed deciduous woodland'. SWT have previously raised that, in this setting, they don't think it is realistic for all the proposed woodland to achieve HPI in moderate condition within a timescale of 30 years, especially in some of the smaller parcels. Given that the above response by Bennu Environmental has assessed the baseline on-site woodland is not 'lowland mixed deciduous woodland' HPI, it adds weight to the concerns. However, in the latest response from Bennu this has been amended with the updated response stating *"the post-development scenario has been amended, with the proposals now delivering Other Broadleaved Woodland in place of Priority Habitat woodland"*; on this basis, no further concerns are raised in this regard.
173. However, it does appear that the proposed BNG strategy as currently proposed, conflicts with the proposed mitigation and compensation for skylark within the scheme including skylark outside of the application site. This was a matter raised during a meeting in December 2025 with SWT, which has not been addressed.
174. 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.

175. Through site selection and layout, developers should avoid or reduce any negative impact on biodiversity. As outlined above we have not seen this demonstrated for skylark.

176. The BNG Strategy would be acceptable. The scheme prioritises biodiversity unit uplift over Skylarks, without providing any justification as to why. Therefore, whilst the site may be able to achieve the Policy required uplift of on-site Biodiversity Net Gain, it fails to take accountability of Skylarks, which is a species of Principal Importance, and therefore a cause for concern.

Flood Risk and Surface Water Drainage

177. One of the twelve land-use planning principles contained in the NPPF and to underpin plan-making and decision-taking relates to taking full account of flood risk. Paragraph 170 of the NPPF advises that; 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere'.

178. NPPF, paragraph 174 seeks to steer new development to areas with the lowest risk of flooding. NPPF, paragraph 181 requires development in areas at risk of

flooding to demonstrate that the most vulnerable development is located in areas of lowest flood risk, that development is appropriately flood resistant/resilient, incorporates Sustainable Drainage Systems, and safely manages risk.

179. Policy DP21 of the Tandridge District Local Plan Part 2: Detailed Policies 2014 advises that proposals should seek to secure opportunities to reduce both the cause and impact of flooding. Development proposals within Flood Risk Zones 2 and 3 or on sites of 1 hectare or greater in zone 1 will only be permitted where, inter alia, the sequential test and, where appropriate, exception tests of the NPPF have been applied and passed and that it is demonstrated through a Flood Risk Assessment (FRA) that the proposal would, where practicable, reduce flood risk both to and from the development or at least be risk neutral.
180. The impact of climate change on the global environment is recognised and flooding from surface water runoff is one of the main consequences. The planning system is expected to play a critical role in combating the effects of climate change by pursuing sustainable development and use of Sustainable Urban Drainage Systems.
181. As identified in the Environment Agency's "Flood Map for Planning", the site is subject to surface water flooding along Green Hill Lane. The applicant has included a Flood Risk Assessment and Sequential and Exception Test as part of the application. Following initial comments from the Local Lead Flood Authority (LLFA), further response letters were submitted by the applicant to address matters raised by the LLFA. The LLFA have reviewed all the details submitted and are satisfied that the proposed drainage scheme meets the requirements and therefore raise no objections to the development. Further to this, the Environmental Agency were also consulted who also raise no objection to the development.
182. In the event of an approval, condition will be imposed to require final details of the drainage systems are requested by the LLFA.
183. On the basis of the advice, and subject to the imposition of a number of conditions, the proposal is considered to meet the requirements of Core Strategy Policy CSP15, Local Plan Policy DP21.

Archaeology and Heritage

184. Section 16 of the NPPF, 'Conserving and enhancing the historic environment', advises that heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 200 advises that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Paragraph 201 adds that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposed (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.
185. Policy DP20 of the Local Plan (2014) relates to 'Heritage Assets' and sets out that there will be a presumption in favour of development proposals which seek

to protect, preserve and wherever possible enhance the historic interest, cultural value, architectural character, visual appearance and setting of the district's heritage assets or historic environment. With the granting of permission or consent, criterion C requires that the works proposed should be sympathetic to the heritage asset and /or its setting in terms of quality of design and layout and material and in the case of Conservation Area, should conserve or enhance the character of the area and its setting.

186. As the site area comprises over 0.4ha, in order to comply with Local Plan Policy DP20 an archaeological desk-top assessment has been submitted by the applicant.
187. There are no heritage assets within the site. The closest is the Grade II listed Chelsham Place Farm House, located approximately 320m to the southeast. The Great Farleigh Green Conservation Area lies approximately 800m north of the site. There is no inter-visibility between the site and these heritage assets due to the enclosure provided by intervening buildings and vegetation.
188. The proposed development site has previously been the subject of a programme of archaeological investigations carried out in 2022, comprising a geophysical survey and subsequent, trial trench evaluation. The applicant has provided reports detailing the results of both elements of the investigation. The investigations and reporting comply with the requirements of Local Plan policy DP20 and the National Planning Policy Framework, paras 207 and 208.
189. The results of the trial trench evaluation show that apart from a post-medieval field boundary ditch, no archaeological features were recorded. As a consequence, the site is considered to have a low archaeological potential, and no further archaeological mitigation is required in respect of the proposed development.
190. Taking the above into account and subject to the imposition of conditions, the proposal is found acceptable in respect of the NPPF (2024) and Policy DP20 Heritage Assets of the Tandridge Local Plan Part 2 (2014).

Renewable Energy

191. Policy CSP14 requires the reduction of carbon dioxide (CO₂) emissions by means of on-site renewable energy technology. An Energy Statement has been prepared by Sol Environmental in support of the application which sets out a high-level energy strategy for the development, focusing on passive solar design, energy efficient design, and the incorporation of LZC heating / cooling technologies. The Energy Statement confirms that the development will achieve a 20% reduction in carbon emissions through the incorporation of renewable energy measures, in accordance with adopted Core Strategy Policy CSP14.
192. The application is not accompanied by an energy and sustainability report. However, the site has the potential to achieve a 20% sitewide reduction in CO₂ emissions and would be dealt with at Reserved Matters stage.

Contamination

193. Policy DP22 of the Local Plan states that proposals for development on land that is or may be contaminated will be permitted provided that there will be no unacceptable risk to health or the environment and provided adequate remedial

measures are proposed which would mitigate the effect of any contamination and render the site suitable for use. Where there is evidence of a high risk from residual contamination the applicant will be required to show as part of the application how decontamination will be undertaken.

194. A desk-based Ground Appraisal Report has been carried out by APEX Consulting Engineers dated May 2024.
195. The Contaminations Officer has reviewed the Assessment and above findings and has recommended a condition to request that before the development hereby permitted commences, a detailed written scheme of assessment consisting of site reconnaissance, conceptual model, risk assessment and schedule of investigation shall be submitted to and approved in writing by the District Planning Authority. As such, no objections are raised on these grounds subject to the imposition of conditions.

Community Infrastructure Levy

196. This is an outline application. The CIL regulations require that CIL liabilities are calculated when reserved matters applications are submitted as until the reserved matters stage, it is not necessarily clear what the exact level of CIL liable floor space will be.

Very Special Circumstances

197. In now returning to consider very special circumstances as set out within Paragraph 153 of the NPPF it is necessary to consider whether very special circumstances would exist which clearly outweigh the harms resulting from the development.
198. As is discussed within this report the application site was a proposed allocated site within the now withdrawn emerging Local Plan. The Council adopted an Interim Policy Statement for Housing Delivery (IPSHD) in 2022 that proactively seeks to boost housing supply in the period before a new Local Plan is adopted. The IPSHD sets out a series of criteria that if met would enable the grant of planning permission, even if sites are located within the Green Belt. Of relevance to this application is criterion (ii) that confirms that development will be supported on sites in the previously emerging Local Plan where the examiner did not raise any objections.
199. The Council's Interim Policy Statement for Housing Delivery therefore supports the delivery of this site as a previous allocation as a matter of principle, which is a significant material consideration in favour of development in this case. The draft allocation came about following a detailed Green Belt assessment and consideration of exceptional circumstances, which concluded that the benefits of delivery housing on this site would outweigh then harm to the Green Belt. The overall conclusion remains relevant today, particularly given then the Council's housing requirement has significantly increase following the December 2024 NPPF update. As discussed above, the proposed development also complies with the Golden Rules set out within Paragraph 156 of the NPPF. Paragraph 158 of the NPPF advises that a development which complies with the Golden Rules should be given significant weight in favour of the grant of permission.
200. Taking into account the benefits brought through the delivery of housing (including affordable housing) in a context where the Council is unable to

demonstrate a five-year supply, the economic benefits, interim policy statement support and compliance with the Golden Rules officers are of the view that very special circumstances exist to justify the otherwise inappropriate development. It should also be noted that the increase in delivery of affordable housing on this site from what would have been achieved if it were allocated is a very significant benefit in this case that further confirms that in the round very special circumstances exist in this case that would outweigh the harm to the Green Belt.

201. However, the site fails to provide mitigation and compensation for Skylarks, fails to provide an accurate BNG baseline, and fails to provide evidence to demonstrate the loss of woodland due to the layout. These are all given significant weight in the planning balance, and it is not considered that this harm is outweighed by the benefits of the scheme.

Overall Conclusion

202. Whilst VSC exist to outweigh the harm identified to Green Belt, it does not outweigh the harm in regards to protected species. Further to this, there is insufficient information in relation to Biodiversity Net Gain. These are material considerations in regard to the principle of development. As such, planning permission sought be refused on these grounds.
203. The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with the NPPF 2024. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.

RECOMMENDATION: REFUSE

1. The proposed development has failed to demonstrate, through the submission of adequate information, that impacts on skylarks have been avoided where possible, and that any necessary mitigation and compensation measures can be put in place and secured. The applicant has failed to demonstrate that the required avoidance, mitigation and compensation measures can be provided. The proposal therefore fails to comply with Local Plan Detailed Policy DP19, Core Strategy Policy CSP17 and the National Planning Policy Framework (2024).

This decision refers to the drawings outlined in the table below:

Drawing Title	Drawing Number	Date Received
Land Use and Access	DG-210 H	16 th September 2025
Red Line Boundary	DG-302 A	16 th September 2025

	Signed	Dated
Case Officer	HM	23/07/2026
Checked ENF		
Final Check	PL	23.07.2026