

ITEM

Application: 2023/1281
Location: Nutfield Green Park, The Former Laporte Works, Nutfield Road, Nutfield, Surrey,
Proposal: Outline planning permission for the development of the site for new homes (Use Class C3) and Integrated Retirement Community (Use Classes C2, E(e), F2), creation of new access, landscaping and associated works to facilitate the development, in phases which are severable (Outline with all matters reserved, except for Access).
Ward: Betchingley and Nutfield

Decision Level: Delegated

Constraints – ASAC, AWOOD, BOA, SNCI, COMMONS, Biggin Hill Safeguarding, GATWICK Bird Strike Zone, GATWICK Safeguarding, GB, Historic Landfill, Minerals Safeguarding, Oil Pipeline, Protected Species, Redhill Safeguarding, Classified Roads, Surface Water Flood Risk, Rights of Way, TPO 15/2013/TAN, TPO 10, Waste Disposals and Minerals, Listed Buildings Nearby.

RECOMMENDATION:**REFUSE****Summary**

- 1.1 The proposal would result in inappropriate development within the Green Belt for which very special circumstances have not been demonstrated to clearly outweigh this, and other identified, harm. The development site is located on the edge of Nutfield, a Tier 4 settlement as identified in the Council's Settlement Hierarchy (2015) and subsequent Addendum (2018) – a 'limited and unserviced' settlement. As such the settlement falls into the category of development where the fundamental factor is that the settlement can neither meet the basic day to day needs of its own residents and relies on the need to travel to other settlements to gain access to goods and services as a necessity.
- 1.2 Whilst it is acknowledged that attempts have been made to make the development 'sustainable', principally through the provision of improved public transport and cycling links, generally to Redhill, and through the possible provision of on site of Use Class E(e) - for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner – and F2 - Use as: (a) a shop mostly selling essential goods, including food, to visiting members of the public in circumstances where: (i) the shop's premises cover an area not more than 280 metres square, and (ii) there is no other such facility within 1000 metre radius of the shop's location, (b) a hall or meeting place for the principal use of the local community, (c) an area or place for outdoor sport or recreation, not involving motorised vehicles or firearms, (d) an indoor or outdoor swimming pool or skating rink – it is not considered that these measures would go far enough to improve the access to goods and services for occupiers of the development to a level that would make the development sustainable under the terms of the NPPF.
- 1.2 In addition, it is considered that the proposal would result in harm to the character of the area and heritage assets and insufficient information has been provided to confirm that there is a demonstrable need for the proposed 'Integrated Retirement Community' element of the proposal and that any

ground contamination issues could be satisfactorily addressed to allow for the safe use of the site for residential purposes.

- 1.4 In these circumstances the application is recommended for refusal.

2.0 Site Description

- 2.1 The application site lies on the northern side of A25 which is known as Nutfield Road/High Street and comprises a former minerals and landfill site of approximately 59 hectares. The site has been restored to woodland and open fields and is accessible to the public via a number of public rights of way which cross the site. To the east of the site lies Mercer's Quarry which is an active minerals site and to the west lies an active landfill site operated by Biffa. To the north of the site lies Nutfield Marsh; a historic hamlet of a small number of residential properties with nearby sporadic residential dwellings, the Inn on the Pond Public House and further north lies the Nutfield Cricket Club Ground. To the south of the site along the A25 lies ribbon development of residential properties comprising predominantly two and three-storey dwellings varying in design and period.
- 2.2 The site lies within a Biodiversity Opportunity Area (BOA) and Site of Importance for Nature Conservation (SINC) and is rich in ecological value across the site, with water sources to the north and woodland predominantly to the south; the site is subject to a Tree Preservation Order (Order No 15/2013/TAN). The site forms part of the Green Belt and contributes significantly to the open and spacious character of the area. Nutfield is a Tier 4 – Limited and Unserviced – settlement. Such settlements are defined in the Tandridge District Settlement Hierarchy (November 2015) as follows:

These settlements have very little or no service provision. In most cases these settlements are remotely located and take the form of a very small cluster of homes, or a sporadic dispersal of properties across a wider rural area or roadside. Services in these areas are so limited that access to day-to-day services must be gained from elsewhere.

Access to public transport and even the Strategic Road Network is such that there is overt reliance on private transport and travel to meet needs is generated by necessity rather than choice.

These settlements are not considered to be sustainable.

- 2.3 Currently there is no vehicular access into the site as an earth bund has been placed to the south along the A25 to prevent unauthorised access to the site. Evidence of historic mineral workings is evident to the open areas of the site to the north and south.

3.0 Relevant History

- 3.1 2023/737/EIA – Request for Screening Opinion for a proposed redevelopment of the Site to deliver up to 166 residential units, a 70-bed care home and 39-bed extra care facility in buildings up to 2.5 storeys – The Screening Opinion advised that the proposal was not EIA development – 18th July 2023
- 3.2 2021/1040 – Construction and operation of Nutfield Green Park with access from Nutfield Road and Nutfield Marsh Road comprising the construction of an

outdoor activity park using imported inert materials, the operation of an outdoor activity park, the construction and operation of an associated wellbeing centre (GP surgery, pharmacy, community diagnostic hub, community shop, restaurant/cafe, creche, office hub, event space, indoor and outdoor gyms together with ancillary uses such as 2 staff accommodation units, treatment rooms and storage) together with development of up to 239 residential units, a 70 bedroom rehabilitation and respite care facility with an associated up to 100 extra care units and staff accommodation for up to 21 staff together with infrastructure, landscaping and open space. (Outline for Access and Layout) – Refused 21st September 2021

- 3.3 2019/547/EIA – Request for Scoping Opinion for the housing development, residential care home and stroke rehabilitation unit, alongside the formation of Nutfield Green Park outdoor activity and recreation centre – This scoping opinion advised that an Environmental Statement (ES) was required and set the parameters in which such should be undertaken.
- 3.4 98/1148 – Construction of 0.25m diameter pipeline to transport aviation fuel between Pendell and Gatwick airport together with associated accommodation works and above ground installation (agi). – Granted 20th May 1999
- 3.5 95/535 – Scheme of fuller's earth working & restoration of an area of about 7.3 ha involving permanent diversion of public footpath 195 & construction of a temporary bridge over Cormongers Lane, submitted pursuant to cond. 1 of planning permission 1544/621/4/2108/9/3 issued by minister of housing & local government on 29/7/54 – Withdrawn/substituted 24th August 1995
- 3.6 93/75 – Details of scheme of fuller's earth extraction, restoration and maintenance of site pursuant to ministers original decision in 1954 – Withdrawn/substituted 15th February 1993
- 3.7 89/1192 – Use of land for general industrial & warehousing (application for established use certificate) – Not in Plus6 22nd May 1990
- 3.8 GOR/7336 – Residential development – Refused 10th February 1966
- 3.9 GOR/3396 – Use of about 8 acres of land for the purpose of a tip for overburden – Approved 3rd December 1958
- 3.10 GOR/452 – Factory – Withdrawn/substituted 5th February 1952

4.0 Key Issues

- 4.1 The application site lies wholly within the Green Belt, is outside of any defined settlement and lies to the west of an active quarry and east of an active landfill site. Therefore, the first key issue is whether the principle of the development is acceptable having regards to its location. Other key issues relate to environmental matters, sustainability, infrastructure, local and national mineral resources, land contamination, housing land supply issues, affordable housing provision, the need for any extra care provision in the area, character and appearance, neighbouring and future residential amenities, biodiversity and ecology, trees, flooding, heritage, aviation, highway impacts, public rights of way and any other matters as shall be discussed.

5.0 Proposal

- 5.1 The application seeks outline planning permission for the development of the site for new homes (Use Class C3) and Integrated Retirement Community (Use Classes C2, E(e), F2), creation of new access, landscaping and associated works to facilitate the development, in phases which are severable. All matters are reserved, except for access.
- 5.2 The site extends to some 58.8 hectares, but only around 7 hectares of the total area would be subject to built development or hardstanding. The remaining 52 hectares is proposed to remain as open space.

6.0 Development Plan Policy

- 6.1 Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP4, CSP7, CSP8, CSP11, CSP12, CSP13, CSP14, CSP16, CSP17, CSP18, CSP19, CSP21, CSP22
- 6.2 Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP4, DP5, DP7, DP9, DP10, DP13, DP18, DP19, DP20, DP21 and DP22

7.0 Relevant Surrey County Council Development Plan Policies:

- 7.1 Surrey Minerals Plan 2011 Core Strategy – Policies MC1, MC6, MC7 and MC8
- 7.2 Surrey Minerals Plan 2011 Primary Aggregates DPD – Policies MA1 and MA2
- 7.3 Surrey Waste Local Plan 2019-2033 adopted 2020 – Policies 5, 6 and 14

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

- 8.1 Tandridge Parking Standards SPD (2012)
- 8.2 Tandridge Trees and Soft Landscaping SPD (2017)
- 8.3 Surrey Design Guide (2002)
- 8.4 Surrey Landscape Character Assessment: Tandridge District (April 2015)

9.0 National Advice

- 9.1 National Planning Policy Framework (NPPF) (December 2024)
- 9.2 Planning Practice Guidance (PPG)
- 9.3 National Design Guide (2019)

10. Consultation Responses

- 10.1 Environment Agency – Do not have any objection to the proposed development subject to appropriate conditions in respect of groundwater and contaminated land issues being attached to any planning permission.
- 10.2 Environmental Health Officer – Comments received.

- 10.3 Gatwick Airport Ltd – No objections, subject to imposition of a condition requiring the submission of details of any renewable energy scheme.
- 10.4 Historic England – Do not wish to offer any comments.
- 10.5 Natural England – Raise no objections and have provided general comments.
- 10.6 NatureSpace – Are not satisfied that the applicant has adequately demonstrated that there will be no impact to great crested newts and/or their habitat as a result of the development being approved.

The proposed development works could impact individual great crested newts and the local population of great crested newts through loss of habitat.

Therefore, in line with the guidance from Natural England (Great crested newts: District Level Licensing for development projects, Natural England, March 2021), there is a reasonable likelihood that great crested newts will be impacted by the development proposals and therefore, the applicant must either:

- Provide an outline mitigation strategy which confirms all impacts, mitigation, and compensation (and any monitoring) that is necessary to inform a licence application post planning (if permission is given).
- Or alternatively the applicant can submit a NatureSpace Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through Tandridge Council's District Licence, which does not require any further survey effort (more details can be found at www.naturespaceuk.com).

- 10.7 National Highways – No objection.
- 10.8 Nutfield Parish Council – Object. The grounds of concern raised can be summarised as follows:
 - The location of this proposed development is outside an existing built-up area.
 - Inappropriate development in the Green Belt.
 - Openness.
 - Impact upon the character and appearance of the surrounding area.
 - Adverse impact on the existing landscape.
 - Impact on the amenities of neighbouring residents.
 - Unsustainable location.
 - Increased traffic on the A25.
 - Adverse impact on air quality.
 - Adverse impact on ecology.
 - Increased flood risk.
 - No “very special circumstances” exist.

With specific reference to the details of the means of access and layout, the Parish Council has made the following comments:

- In addition to increased traffic noise generally due to the number of vehicle movements arising from this development, those living in Parkwood Road whose rear gardens face west and those homes west and east of the junction facing onto the A25 will be particularly affected. The proposed new

junction will mean that vehicles travelling on the A25 will either need to slow down or brake and accelerate on approaching the junction with HGVs being particularly noisy when doing both. The level of noise will be exacerbated for vehicles travelling east (towards Bletchingley) as on passing the junction they will need to accelerate as they travel uphill into Nutfield.

- The Parish Council's view is that the proposed layout would effectively introduce an urban form of development alien to the open and rural character of the site, its surrounding area and the village of Nutfield contrary to policy DP7. Furthermore, the proposed layout does not integrate effectively with the location's surroundings, reinforce local distinctiveness and local landscape character or with the existing village of Nutfield.
- Homes adjacent to existing properties in Nutfield village – The Parish Council has the following concerns regarding the proposed layout.
 - It supports a scale of development that is excessive and inappropriate for this location with very limited additional community infrastructure.
 - It does not reflect Nutfield village's local character – With the majority of the proposed homes seemingly located off a single road (The Drive) in cul-de-sacs, this proposal is significantly different from the linear character of the existing village. This contrasts significantly from the approach taken when an extension to South Nutfield was built on a former industrial site in the 1980s. This settlement has a similar linear character, so the approach taken was to build the vast majority of houses fronting the single access road (Kings Mead) with an occasional cul-de-sac. Each of these cul-de-sacs contains very few homes.
 - There is no evidence that the proposed layout meets any of the relevant national standards, such as the "National Model Design Guide" (January 2021). In the Parish Council's view, it will make this an unattractive road for pedestrians and cyclists to walk or ride along at any time and in particular, during the hours of darkness given the significant areas of open land between the three areas.
 - It fails to take any account of the impact upon existing residents – Both the exit road from the A25 and the road giving access to the residential areas are located in close proximity to the rear gardens of existing homes where there is no screening:
 - The exit road from the A25 appears to be close the rear boundary of the homes in Park Wood Road whose gardens face west.
 - The single road (The Drive) giving access to the housing is also close to the north facing rear gardens of the homes in Blackland's Meadow.
- The Parish Council also endorses the views of Surrey CC's Historic Buildings Officer regarding the adverse impact upon St Peter and St Paul Church (Listed Grade II*) of the Church Hill cul-de-sac that "Ultimately the residential appearance of the site will detract from the rural setting of the church".
- Retirement Community – The Parish Council has a general concern regarding the positioning of this facility. It has been unable to find any substantive information to enable it to assess the possible adverse impacts on the existing or proposed new homes – being close to the rear boundaries of Shortacres and Hunters Chase. The adverse implications for Nutfield Cemetery and Woodland Burial of this proposed layout – As the Parish

Council is the owner of this facility, it has sent a separate letter detailing its concerns. The relevant section of this letter is set out below:

- Loss of woodland on its eastern boundary – As set out above, at present there is a well-established bluebell wood adjacent to Pimlico Cottages which extends almost to the Cemetery and Woodland Burial's northern boundary.
- This woodland enhances the additional tree and shrub planting that has taken place in the Cemetery since the 1970s, and very much contributes to the Cemetery's rural setting.
- Adverse impact upon the Cemetery and Woodland Burial's tranquillity and peaceful environment – The loss of this ancient woodland buffer and its replacement with multiple houses will inevitably increase the levels of noise and disturbance within the Cemetery and Woodland Burial due to their closeness to the Cemetery and Woodland Burial's eastern boundary. The distance between this infrastructure and the eastern boundary is approximately 75m at the nearest point and little more than 100m at the furthest.
- No consideration of its current environment or surroundings – This application fails to make any attempt to preserve or harmonise its proposals with the Cemetery's current setting. As such, it does not show any respect for those buried there or the relatives and friends visiting their graves or memorials. Many Parishioners and Non-Parishioners, choose the Woodland Burial site in particular, due to its peaceful location.

In respect of this matter the Parish Council has been unable to ascertain whether the proposed layout meets the requirement set out in criteria 6 – 8 of policy DP7 aimed at safeguarding the amenity of neighbouring properties, namely:

- “6. Amenity: The proposal does not significantly harm the amenity of neighbouring properties by reason of pollution (noise, air or light), traffic, or other general disturbance;
7. Privacy: The proposal does not significantly harm the amenities and privacy of occupiers of neighbouring properties (including their private amenity space) by reason of overlooking or its overshadowing or overbearing effect. In most circumstances, where habitable rooms of properties would be in direct alignment, a minimum privacy distance of 22 metres will be required. This distance may need to be increased to protect those parts of gardens which immediately adjoin dwellings or where sites are sloping. In most circumstances, a minimum distance of 14 metres will be required between principal windows of existing dwellings and the walls of new buildings without windows;
8. Environment: The proposals provide a satisfactory environment for the occupiers of both the existing and new development”.

In conclusion, CSP18 requires that new development within the countryside is of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained. Development must not significantly harm the amenities of the

occupiers of neighbouring properties by reason of noise, visual intrusion or other adverse effects.

Due to the lack of specific information regarding the detail of the proposed layout of the homes adjacent to the existing village of Nutfield, the Parish Council believes that approval of this matter should not be given as the applicant has failed to demonstrate compliance with the above policy.

Officers' Note: The Parish Council appear to have incorrectly reviewed the application on the basis that the proposed layout of the development is being detailed as part of this outline application. However, only means of access has been indicated for detailed consideration at this stage and the submitted layout plan is only indicative.

- 10.9 Reigate & Banstead Borough Council – Object on the following grounds: Reigate and Banstead Borough Council remains concerned that the proposed development is likely to result in a marked increase in traffic movements to and from Reigate and Banstead Borough Council (RBBC) area and this traffic will need to be directed through primary routes, which would likely comprise already pressurised junctions, roads and known highways pinch points. The Council is also concerned that the applicant's Transport Assessment still does not take in to account the potential cumulative impact of this scheme in combination with two Sustainable Urban Extension sites allocated (Policy ERM1 and ERM2/3 within RBBCs up to date Development Management Plan 2019. Without this consideration the full impact of the scheme and potential mitigation measures cannot be assessed. The suitability of this site for such a quantum of development is also queried. The site is located on the edge of a small village with limited services. The reality is that a high percentage of future occupants and staff will use private car to travel to and from the site. The increase in traffic generated by the proposed development would adversely impact on the amenities of residents of the Borough.
- 10.10 Southern Water – The development site is not located within Southern Water's statutory area for water supply and wastewater drainage services.
- 10.11 SCC – Archaeology – No objection, subject to the following condition:

"No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority."
- 10.12 SCC – Countryside Access Officer – No objections.
- 10.13 SCC – Historic Buildings Officer – I have assessed the proposal in accordance with paragraphs 195 and 199 of the NPPF. There will be a low degree of less than substantial harm under paragraph 202 of the NPPF to The Folly Tower and to St Peter and St Paul's Church owing to the reduction of their rural and landscape setting which informs the significance of each building. Great weight must be applied to this harm in line with paragraph 199 of the NPPF and even greater weight as the church is Grade II* listed. There are no heritage specific public benefits from this scheme, and I cannot suggest any further mitigation at this point. Owing to low level of harm, I am not of the opinion that there are

sufficient heritage grounds for refusing the application by itself, but the harm will need to be taken into account as part of a wider planning balance.

10.14 SCC – Highways – Recommend refusal on sustainability and highway capacity impact grounds.

10.15 SCC – Lead Local Flood Authority – 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.

10.16 SCC – Planning – No objection.

10.17 Surrey Wildlife Trust – No objections, subject to conditions.

10.18 Tree Officer – No objections are raised, subject to conditions relating to tree retention, tree protection, compensatory and enhancement tree planting and soft landscaping provision.

11.0 Other Representations

11.1 533 representations have been received, comprising 506 objections (from 413 properties) and from Nutfield Conservation Society, the Traffic Action Group – A25, the Charles Maw Trust, Nutfield Cemetery and Woodland Burial, and 27 letters of support, including from British Cycling, Sustrans and the Raven Housing Trust.

11.2 Objections raised relate to the following issues:

- Environmental concerns/land contamination
- Pressure of local infrastructure e.g. doctors, schools, dentists etc
- Pressure on road network
- Increase in traffic/HGV movements
- Highway safety fears/inappropriate access from the A25
- Loss of fields, trees and wooded areas
- Loss of privacy to adjoining occupiers
- Harm to ecology/wildlife
- Loss of green space
- Unsustainable
- Unneeded development
- Merging of towns/against the 5 purposes of Green Belt land
- Loss of Green Belt/inappropriate development
- Land not suitable as next to landfill and quarry site
- Harm to protected species
- Destruction of the countryside
- Lack of public transport
- Land contamination/risk to public health and watercourses
- Impact on air quality
- Biodiversity loss
- Out of character – will subsume the existing village
- Flooding
- Pollution – air, noise, smell, light

11.3 The following comments were received in support of the application:

- Reuse of brownfield land
- Need for housing
- Improvements to cycleway network
- Provision of community/health facilities

12.0 Assessment

12.1 Procedural Note:

12.2 The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2024. However, paragraph 232 of the NPPF (Annex 1) sets out that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework document. Instead, due weight should be given to them in accordance with the degree of consistency with the current Framework.

12.3 In the absence of a five-year supply of housing, it is necessary to apply the presumption in favour of development as set out in paragraph 11 of the NPPF. For decision making, this means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i) *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- ii) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

12.4 With regards to paragraph 11 (d) (i), footnote 7 explains the concept of “specific policies” in the NPPF indicating that development should be restricted. This includes development relating to sites within the Metropolitan Green Belt. It is therefore necessary to assess whether the proposal would be appropriate within the Green Belt before applying an assessment under Paragraph 11 (d) (i) which will be undertaken at the end of this report.

Green Belt Considerations:

12.5 The NPPF 2024 supports the protection of Green Belts and the restriction of development within these designated areas. Paragraph 142 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, the essential characteristics of the Green Belt being its openness and permanence.

12.6 Paragraph 153 of the NPPF states: When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness (*Other than in the case of development on previously developed land or grey belt land, where development is not inappropriate*). Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special

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

- 12.7 Paragraph 154 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt and lists a number of exceptions. The proposed development would not, however, fall within any of those listed exceptions.
- 12.8 Paragraph 155 sets out that ‘the development of homes, commercial and other development 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*
 - d. *Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.*
- 12.9 Paragraph 156 states: Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review, or 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
- 12.10 Grey Belt is defined within the NPPF 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.*”
- 12.11 In assessing planning applications within the Green Belt, it is also considered relevant to acknowledge the steps which the Government’s Planning Practice Guidance indicates should be undertaken in order to carry out the Green Belt assessment process and to relate it to the current development proposal.
- 12.12 The PPG states that:

In order to assess the Green Belt in the relevant local or strategic development area effectively, authorities will need to:

- *identify the location and appropriate scale of area/s to be assessed*
- *evaluate the contribution each assessment area makes to Green Belt purposes (a), (b), and (d), using the criteria identified below*
- *consider whether applying the policies relating to the areas or assets of particular importance in footnote 7 to the NPPF (other than Green Belt) would potentially provide a strong reason for refusing or restricting development of the assessment area*
- *identify grey belt land*
- *identify if the release or development of the assessment area/s would fundamentally undermine the five Green Belt purposes (taken together) of the remaining Green Belt when considered across the area of the plan*

Paragraph: 003 Reference ID: 64-003-20250225

12.13 Policy DP10 of the Local Plan reflects paragraphs 152-160 of the NPPF in setting out that inappropriate development in the Green Belt is, by definition, harmful and that substantial weight must be attributed to this harm. Permission should only be granted where very special circumstances can be demonstrated to outweigh the harm by reason of inappropriateness and any other harm identified.

12.14 Policy DP13 states that unless very special circumstances can be clearly demonstrated, the Council will regard the construction of new buildings as inappropriate in the Green Belt. Policy DP13 sets out the exceptions to this, one of which (Part G) is the limited infilling or the partial or complete redevelopment of previously developed (brownfield) sites in the Green Belt, whether redundant or in continuing use (excluding temporary buildings), where the proposal would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Also to note is (Part I) Any other form of development as listed under paragraph 90 of the NPPF.

12.15 Annex 2 of the NPPF (2024) sets out a number of definitions and includes the following as a definition of previously developed land. This is as follows:

Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

12.16 The application site comprises of “*land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures*” and therefore does not constitute previously developed land under the terms of the NPPF.

12.17 The proposal is not considered to fall within any of the categories of development specified as exceptions to the general presumption against

inappropriate development in the Green Belt detailed in paragraph 154 of the NPPF. This assessment will therefore consider the proposal in relation to grey belt and against the requirements of paragraph 155.

Grey Belt Assessment:

12.18 As set out within the definition above grey belt land is land which does not strongly contribute to any of purposes (a), (b), or (d) of the Green Belt detailed in paragraph 143 of the NPPF nor that a footnote 7 policy (excluding Green Belt) which provides a strong reason for refusing the development is relevant. The Planning Practice Guidance on Green Belt, last updated on 27 February 2025, provides guidance on the assessment of a site's contribution to Green Belt purposes. This will be used in the assessment below to assess the sites contribution to the purposes.

Purpose A – to check the unrestricted sprawl of large built-up areas

12.19 The application site borders the settlement of Nutfield to the east and south, but Nutfield is identified in the Council's Settlement Hierarchy as a Tier 4 settlement and therefore does not comprise a 'large built-up area'. The development would extend some metres to the west and northwest of Nutfield along the A25 toward the large built-up area of Redhill but is separated from the town by around 1.2 kilometres. Caterham is around 5.7 kilometres to the northeast and Oxted around 9 kilometres to the east.

12.20 It therefore has the potential to moderately contribute to checking the unrestricted sprawl of Redhill. As per the extract from the PPG below a moderate contribution for the purpose a) would likely have all the following features:

Moderate	Assessment areas that contribute moderately are likely to be adjacent or near to a large built up area, but include one or more features that weaken the land's contribution to this purpose a, such as (but not limited to): - having physical feature(s) in reasonable proximity that could restrict and contain development - be partially enclosed by existing development, such that new development would not result in an incongruous pattern of development - contain existing development - being subject to other urbanising influences
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Purpose B – to prevent neighbouring towns merging into one another

12.21 The site would include some of the land which separates Redhill from Oxted to the east; however, it only forms a very small part of this separation and does not make a visual contribution to its separation. As per the extract from the guidance below the site is only likely to make a weak contribution to Purpose B.

Weak or None	Assessment areas that contribute weakly are likely to include those that: <ul style="list-style-type: none"> - do not form part of a gap between towns, or - form part of a gap between towns, but only a very small part of this gap, without making a contribution to visual separation
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Purpose D – to preserve the setting and special character of historic towns

12.22 The settlement of Redhill is not considered to be a historic town for the purpose of this assessment and therefore the site does not contribute to this purpose. Whilst Nutfield and Nutfield Marsh are historic settlements they comprise of villages which are not protected through the requirements of Purpose D. As such the site cannot be argued to make any contribution to Purpose D.

Weak or None	Assessment areas that make no or only a weak contribution are likely to include those that: <ul style="list-style-type: none"> - do not form part of the setting of a historic town - have no visual, physical, or experiential connection to the historic aspects of the town
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Footnote 7 Policies (excluding Green Belt)

12.23 The site does lie within an area at risk of surface water flooding; however, as will be discussed in the relevant section below subject to mitigation this does not provide a strong reason for refusing the development. There are therefore no strong reasons for refusal under Footnote 7 policies. The proposal will have an impact on heritage assets, but this would not be considered to be a 'strong' reason for refusing planning permission under the terms of Footnote 7.

12.24 The applicants have submitted a Green Belt Assessment Addendum (dated March 2025) following the publication of the NPPF in December 2024. This concludes:

In terms of Green Belt, the site does not strongly contribute to Green Belt Purposes a, b and d. The site has been assessed as making the following conclusion to Green Belt Purposes

Green Belt Purpose	Contribution to purpose
Purpose a) to check the unrestricted sprawl of large built-up areas	No contribution
Green Belt Purpose b) to prevent neighbouring towns merging into one another	Weak/ no contribution
Green Belt Purpose d) to preserve the setting and special character of historic towns	No contribution

12.25 In terms of the grey belt considerations and whilst the Council has not yet concluded its Green Belt Assessment following the publication of the revised NPPF it is considered that the development site may well be likely to be considered to constitute grey belt land when this assessment is concluded.

Assessment Against Paragraph 155 Requirements:

12.26 Paragraph 155 indicates that the development of homes in the Green Belt should also not be regarded as inappropriate where all of the following apply:

- 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:*

Whilst it has been concluded that the development may constitute grey belt land in order to potentially comply with a. it is also necessary to consider whether the development of the site would fundamentally undermine the five Green Belt purposes of the remaining Green Belt.

12.27 The findings on an Inspector in a recent appeal (16th September 2025) in respect of Land to the east of Wymers Wood Road, Burnham, Buckinghamshire, SL1 8LQ, (APP/X0415/W/25/3360406), are also considered to be relevant. In that case the Inspector indicated that:

19. I have already found that the appeal site does not strongly contribute to purposes (a), (b), or (d) in Paragraph 143 of the Framework. As the appeal site is not urban land, Green Belt purpose (e), which seeks to assist in urban regeneration by encouraging the recycling of derelict and other urban land, is not a determinative matter in the appeal.

20. The site is devoid of development except for fencing and a gate. The lack of built form on the site and its open nature comprising grass, bushes and trees results in it having a rural feel and an openness that are characteristic of the countryside. Although relatively small in size, the presence of the site amongst the large residential properties that surround it contributes positively to the rural character and tranquillity of this area of the countryside. As such, the proposal would result in encroachment of development into the countryside, which conflicts with Green Belt purpose (c).

21. *Whilst the proposal would utilise 'grey belt' land, it would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. The proposal does not, therefore, meet all of Framework Paragraph 155's required criteria (a), (b), (c) and (d), so fails to meet Paragraph 155 overall.*

12.28 The same arguments are considered to be applicable to the application site, which is much more extensive in terms of its site area – 7 hectares compared to 0.13 hectare – and therefore the impact of the encroachment of development into the countryside would be more significant.

12.29 In terms of the effect of the development on the openness of the Green Belt, in the Burnham case the Inspector found that:

23. *Given that there are currently no buildings on the site, the construction of the proposed development would result in a considerable increase in building volume. The proposal would therefore inevitably reduce the spatial openness of the site.*

24. *Visually, the site is easily visible from Wymers Wood Road. The proposed development would lead to the introduction of a sizeable building. Furthermore, a large area of hardstanding would be laid down in the site to create a parking and turning area, and a residential access would be formed adjacent to the road. As such, the visual openness of the site would be compromised, and this would cause harm to the openness of the Green Belt.*

25. *On this basis, the proposal would fail to preserve the openness of the Green Belt.*

12.30 Whilst it is considered that the site could be considered to constitute grey belt land, it is nevertheless considered that the development would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan due to the encroachment into the open countryside and the impact of the development on openness.

b. *There is a demonstrable unmet need for the type of development proposed:*

12.30 It is accepted that 155 (b) is met in respect of the provision of market and affordable housing due to the Council's current 5-year housing land supply position. In respect of the 'Integrated Retirement Community' element of the proposal the position is considered to be less clear.

12.31 The application has been accompanied by an Older Persons Briefing Note which has been reviewed by the Senior Commissioning Manager at Surrey County Council Adult Social Care, and they have raised some concerns about the nature of the proposal and the methodology utilised to calculate need. The figures provided to demonstrate need are not considered to be accurate and it is considered that, when identifying the number of beds in the Tandridge District area, the applicant should use the lists produced by the Care Quality Commission as the regulator of residential care homes and nursing care homes. The figures in Planning guidance for accommodation with care for older people - Tandridge analysed the CQC lists and established that there were 328 residential care home beds registered for older people and 644 nursing care home beds registered for older people as at January 2024. These figures show a very different picture to that presented by the applicant, and a

new version of the planning profile for Tandridge (to be published shortly) will reveal minor changes to the bed numbers as at April 2025.

12.32 They also consider that while arguments can be made on the definition of an Integrated Retirement Community, the applicant still needs to demonstrate that the proposed specialist housing units should be argued for a C2 planning use rather than C3. This reflects on the NPPG for Housing for older and disabled people - GOV.UK, which presents "extra care housing or housing-with-care" as a separate typology of specialist housing to "Residential care homes and nursing homes", noting that "any single development may contain a range of different types of specialist housing." In order to argue for a C2 planning use, the services provided to people living in the specialist housing units will need to be either regarded as indivisible from the functions of the care home (as without it the specialist housing would no longer be C2). Alternatively, the communal facilities, existing outside the care home and forming part of the specialist housing submission, must be in place to primarily support the residents and so form part of the C2 use class, and substantial enough to be far beyond what is normally found in older people's housing, i.e. clearly for people in need of care.

Surrey County Council Adult Social Care also indicate that the following matters remain unresolved: The undertakings which the applicant would need to make in order to evidence the suitability of a C2 planning use for the "extra care facility beds". The proximity of the care home is not enough to evidence this – the operation of both the proposed care home and relevant housing units need to be intertwined to the extent that they, together, form what the applicant describes as an "integrated retirement community". For background to this the applicant is invited to examine the outcome of appeal Reference: APP/Q3115/W/19/3220425, in particular paragraph 43, and to consider ARCO's model s106 which sets out what should be expected for a housing setting to be regarded as C2: Model Section 106 Agreement for Integrated Retirement Communities | ARCO. The applicant should note that the care home will operate in a very different fashion to a housing with care setting, being solely regulated by the Care Quality Commission and placing restrictions on many residents' activities when meeting their needs, and the care home's facilities will need to be substantial enough to accommodate both the needs of its residents but also people living in the housing with care units nearby; If any additional facilities are to be presented as supporting the C2 planning use for the "extra care facility beds", then they need to come under the C2 planning use as they are there to support the residents, with only an ancillary function in providing services to the wider community. Use classes of E(e) and F2 would be used for outwardly focused services and be treated separately, with no bearing on a C2 planning determination, simply because they can continue to operate without the "extra care facility beds". I suggest, given the wording on affordable housing in Tandridge's Local Plan documentation, that the applicant evidence how the extra care units cannot deliver affordable housing through the submission of a viability assessment. Clarity on the range of alternative transport options for the care home, extra care housing residents, visitors and staff.

12.33 As such, it is not considered that a demonstrable need for the proposed 'Integrated Retirement Community' has been put forward.

c. *The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework:*

12.34 In this respect, Nutfield is a very small village with a population of around only 300 people. It has a very limited range of existing services comprising a community centre, a jeweller, a veterinary surgery, a flooring shop, a public house and a garage (mechanic, tyre sales and hand car wash). There are no rail stations, schools, doctors or dentist facilities in the village, although an infant's school and railway station in South Nutfield are technically within walking distance, but due to the steep hill that would need to be climbed between South Nutfield and Nutfield this journey would not be attractive for parents with children or elderly people. Consequently, the settlement hierarchy work that was undertaken for the now withdrawn Local Plan placed Nutfield in the lowest ranked tier (Tier 4 – Limited and unserviced settlements). The proposed development that would in effect double the size of the village in terms of both housing and population would add very significant pressure on the very limited services and road networks that do exist. The starting point, therefore, is that the application site is not in a sustainable location; and there can be no disagreement over this baseline position.

12.35 The PPG advises that when considering Paragraph 155 (c) it is necessary to consider whether a site can be made sustainable. In this regard, it is noted that the applicant proposes to make improvements to the local bus, walking and cycle services. It is notable, however, that the proposed transport improvements are only focused (apart from the provision of pedestrian crossings on the A25) on getting people to the larger settlements elsewhere such as Redhill rather than to Nutfield. This is tacit admission of Nutfield's lack of facilities and inherent unsustainability. The reality, however, is that whilst some residents may use the proposed sustainable transport measures the vast majority will not and will be accessing services, facilities and jobs using the private car. It is also unclear whether the proposed sustainable transport contribution will be sufficient to be effective for the lifetime of development in terms of providing sufficient subsidy for residents, or if there would still be a requirement for residents to pay for bus services once it runs out.

12.36 It is also important to consider that sustainable development means significantly more than simply transport measures. It is acknowledged that there is a particular focus on transport within Paragraph 155 (c), but nowhere does it state that other aspects of sustainability should not be considered. In this regard, no substantive or definitive improvements are proposed to local schools, shops, employment opportunities and doctor / dental facilities (apart from a generic indication that a Use Class E (e) - for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner, and/or F2 - use as: (a) a shop mostly selling essential goods, including food, to visiting members of the public in circumstances where: (i) the shop's premises cover an area not more than 280 metres square, and (ii) there is no other such facility within 1000 metre radius of the shop's location, (b) a hall or meeting place for the principal use of the local community, (c) an area or place for outdoor sport or recreation, not involving motorised vehicles or firearms, (d) an indoor or outdoor swimming pool or skating rink - could be provided) all of which will remain mostly accessed by the least sustainable mode of transport, the private car.

12.37 In short, the proposed transport measures, whilst delivering some benefits will not be anywhere near sufficient to change the site's overall status from a 'limited and unserviced settlement' location to one that can genuinely be deemed as sustainable. The size of the proposal is clearly disproportionate to the size and status of Nutfield and would result in it becoming a commuter and dormitory

development that will only reduce its sustainability credentials further in the longer term.

- 12.38 In terms of proximity to services it is noted that the nearest Primary school to the site is Nutfield Church CofE Primary which is located 0.8 miles from the entrance to the application site. However, as noted in the applicants submitted Social Infrastructure Statement (October 2023) this school does not have capacity to accommodate the child yield likely to be generated by the development. The nearest Primary school with any capacity is Earlswood Infant & Nursery which is located 1.8 miles from the site entrance but the walking route to this school is predominantly along the A25 which is heavily trafficked and would not provide a pleasant walking environment for young children.
- 12.39 Turning to Secondary school provision the closest school would be Carrington School, which is located 2 miles from the site entrance, but again the walking route to this school would be along the A25. The next nearest site would be Merstham Park which is located 3.3 miles from the site.
- 12.40 With regard to Doctor's Surgeries the nearest to the site would be The Hose Partnership – Moat House Surgery, which is 2.6 miles from the site, with the next nearest being Holmhurst Medical Centre which is 2.9 miles away.
- 12.41 For dental services the nearest facility is Lowcroft Dental Surgery which is 1.6 miles from the site but currently is only taking NHS patients under 17 years of age. The nearest dentist taking adult NHS patients is Nuffield Road Dental Surgery in Merstham located 2.2 miles away.
- 12.42 Lastly, in terms of access to supermarket provision, the nearest facility is a Sainsbury's store 2.1 miles from the site, with an Iceland 2.2 miles away, a Tesco Express 2.8 miles from the site and a Morrisons 3.7 miles away.
- 12.43 All of these facilities would be likely to be predominantly accessed by private car.
- 12.44 For the reasons set out, it is not considered that it has been demonstrated that this unsustainable site can be made sustainable through the development proposal to comply with the requirements of Paragraph 155 (c).
 - d. *Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.*

- 12.45 The 'Golden Rules' are applicable to this development, and it is therefore necessary to review the proposal in the light of the requirements of paragraphs 156 and 157.

Paragraph 156:

- 12.46 Paragraph 156 states:

Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review, or 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.

12.47 It is acknowledged that the proposed development, as amended, would now provide 50% affordable housing which would be in excess of the NPPF requirement of 49% in the case of Tandridge. Criterion a. would therefore be complied with.

12.48 In terms of criterion b. as noted above it is not considered that the proposal would make the necessary improvements to local infrastructure in order to make the site sustainable. Whilst the improvements to local walking, cycling and public transport infrastructure detailed in the application are acknowledged and welcomed it is still considered that these fall far short of what would be necessary to make the application proposal sustainable. Vague commitments have been made to provide 1,500 square metres of Use Class E (e) - *Commercial, business and service for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner*, and F2 - *Local Community: Use as (a) a shop mostly selling essential goods, including food, to visiting members of the public in circumstances where: (i) the shop's premises cover an area not more than 280 metres square, and (ii) there is no other such facility within 1000 metre radius of the shop's location, (b) a hall or meeting place for the principal use of the local community, (c) an area or place for outdoor sport or recreation, not involving motorised vehicles or firearms, (d) an indoor or outdoor swimming pool or skating rink - floorspace as part of the proposed 'Integrated Retirement Community'* but it has not been made clear whether any such facilities would be available for local residents not living in the 'Integrated Retirement Community' or not and on what basis.

12.49 The proposal would accord with the requirements of criterion c. given that the site is located within a former minerals site that has been restored to provide recreational open space with extensive areas of open accessible countryside with a well-established footway network.

12.50 Overall, however, it is concluded that the application proposes to develop a predominantly undeveloped area. The development would be isolated from the settlement of Nutfield in functional terms, given the lack of day-to-day facilities within the village, and would lead to the encroachment of development into an open countryside location. Whilst the application site is screened to some degree due to the topography of the site, public views would still be readily available from Nutfield Road, where the new access would be punched through the existing tree screen, from Church Hill and from various parts of the extensive Public Right of Way network running through the wider site. The site would therefore be visible from public vantage points and would represent a notable encroachment on the ground. As such, the proposal would conflict with Green Belt purpose c).

12.51 Overall, therefore it is not considered that the proposed meets the requirements of paragraphs 155 and 156 and would therefore constitute inappropriate development in the Green Belt. In these circumstances it would be necessary to consider whether there would be any 'very special circumstances' that would outweigh the harm to the Green Belt and any other harm.

12.52 The NPPF does not provide guidance as to what can comprise 'very special circumstances'. However, some interpretation of very special circumstances (VSC) has been provided by the Courts. The rarity or uniqueness of a factor may make it very special, but it has also been held that the aggregation of commonplace factors could combine to create very special circumstances (i.e. 'very special' is not necessarily to be interpreted as the converse of 'commonplace'). However, the demonstration of very special circumstances is a 'high' test and the circumstances which are relied upon must be genuinely 'very special'. In considering whether 'very special circumstances' exist, factors put forward by an applicant which are generic or capable of being easily replicated on other sites, could be used on different sites leading to a decrease in the openness of the Green Belt. The provisions of very special circumstances which are specific and not easily replicable may help to reduce the risk of such a precedent being created. Mitigation measures designed to reduce the impact of a proposal are generally not capable of being 'very special circumstances'. Ultimately, whether any particular combination of factors amounts to very special circumstances will be a matter of planning judgment for the decision-taker.

12.53 The issue of very special circumstances will be discussed later in this report.

13.0 Housing Land Supply

13.1 The NPPF at paragraph 78 sets out a requirement for local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their local housing need where strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer of 20% where there has been significant under delivery of housing over the previous three years to improve the prospect of achieving the planned supply. Footnote 39 of the NPPF provides that where local housing need is used as the basis for assessing whether a supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance.

13.2 The Tandridge Core Strategy housing delivery policy (CSP2) is more than five years old. Five-year housing need assessed against the standard method, together with the required 20% buffer, gives a requirement of 4,964 dwellings, or 993 per annum, including a 20% buffer. Current housing land supply in Tandridge district is 1.71 years.

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

- a. Application 2022/1161, May 2023: young Epilepsy, St Piers Lane, Lingfield - provision of a residential care community (Use Class C2) comprising 152 units of accommodation.

b. Application 2022/1658, December 2023: Plough Road, Smallfield – for 120 dwellings including 40% affordable housing and flood relief engineering works.

c. Application 2022/267, December 2023: Former Shelton Sports Club, Warlingham – for 150 dwellings including 45% affordable housing.

d. Application 2022/1523, September 2024: Land at Former Godstone Quarry – for 140 dwellings including 50% affordable housing and a new GP surgery.

e. Application 2024/1389, July 2025: Redehall Road, Smallfield – for 85 dwellings including 40% affordable housing.

f. Application 2024/1393, July 2025: 1 Park Lane, Warlingham – for 45 dwellings including 49% affordable housing.

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

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

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

- APP/M3645/W/23/3319149: Station Road, Lingfield. The Inspector referenced the IPSHD in paragraph 15 of his decision letter stating: "For this appeal it is a material consideration when considering the benefit arising from the additional supply of housing, but I only give it limited weight because of its non-statutory status."

- APP/M3645/W/24/3345915: Chichele Road, Oxted. The Inspector referenced the IPSHD in paragraph 9 of her decision letter: "...I note that the appeal site was not brought forward as a proposed housing allocation in the submitted eLP and thus does not meet the criteria for inclusion within the IPSHD. I shall treat the IPSHD as a material consideration for this appeal, particularly as a mechanism used by the Council to address its housing need. However, as it does not form part of the development plan, this limits the weight which can be afforded to this document." In the determination of both of these appeals the IPSHD was found to be a material consideration.

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

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

i) *Provide for the re-development of previously developed land in the urban areas and the Green Belt.*

ii) *Housing sites included in the emerging Local Plan where the Examiner did not raise concerns.*

- iii) *Sites allocated for housing development in adopted Neighbourhood Plans which will make a contribution to the overall delivery of housing in the district.*
- 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).*
- 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.*

13.8 It is acknowledged that, in the absence of a five-year housing land supply, and notwithstanding the progress being made in housing delivery in Tandridge District through the adoption and implementation of the IPSHD, significant weight should be given to the proposal in this planning application for the delivery of market and affordable housing in the overall planning balance.

13.9 Core Strategy policy CSP8 relates to Extra Care Housing Provision, the other type of housing proposed for delivery in the planning application. This policy states: "The Council will, through the allocation of sites and/or granting of planning consents, provide for the development of at least 162 units of Extra Care Housing in the period up to 2016 and additional units in the period 2017-2026 following an updated assessment of need. In identifying sites and/or determining planning applications, regard will be had to: The need for each site to accommodate at least 50 Extra Care Housing units; The Extra Care Housing Model in the East Surrey Extra Care Housing Strategy in respect of the provision of services and facilities (and any further guidance received from Surrey County Council); Sustainability – sites should be sustainable by virtue of their location and there will be a preference for sites within defined settlements, but where such sites are not available regard will be had to the potential for development to be self-contained to reduce travel requirements and the availability of public transport; The priority will be for the re-use of previously developed land, greenfield sites will only be acceptable following allocation in the LDF; and The potential to co-locate a nursing/residential care home on the site where there is an acknowledged need. The Council will also work with its partners, Surrey County Council, Reigate & Banstead Borough Council, Surrey Supporting People and the Primary Care Trust in identifying suitable sites and securing the provision of schemes. The Council will support suitable proposals notwithstanding that such developments may result in or exacerbate an excess of housing development against the South East Plan requirements. "This policy sought to establish both a quantum of development required and to provide criteria against which development proposals should be assessed. Your officers accept that with respect to quantum of need the policy is now out of date and that other indicators of need should be relied upon in determining planning applications. The criteria in the policy remain relevant.

13.10 The report "Older Persons Need Assessment" provided with the application documents makes an assessment of the local need for specialist care accommodation within Tandridge District in terms of both quantitative and qualitative need up to 2040 being 550 additional personal care beds and 104 nursing beds and 82 dementia beds, with significant demand in the period 2023 to 2027.

13.11 Recent information from Surrey County Council made available to the Council with respect to another planning application (Lingfield House, application reference TA/2024/1079) is: "As of January 2024, Tandridge had 328 residential care home beds, with a projected need of 436 by 2035 – indicating a shortfall of 66 beds. Similarly, the demand for nursing care home beds is also expected to increase, leading to an additional shortfall by 2035. These figures highlight a sustained need for more residential and nursing care home beds in the area. However, as highlighted in the Older People Residential and Nursing Care – Market Positioning Statement, there is further emphasises on the growing demand for complex care in Surrey due to an aging population and rising cases of advanced dementia, physical frailty, and multimorbidity. Addressing this need requires not only specialised care home development but also experienced care providers capable of effectively supporting residents with complex conditions. However, the planning application documents do not indicate a designated care provider with proven expertise in delivering this level of care, nor does it go into detail as to how it would meet the needs within a specialist environment. In summary, while there is a clear need to expand capacity in Tandridge to meet future demand, it is essential to ensure that the right type of provision is developed alongside a qualified care provider and suitable environment."

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

14.0 Local and national mineral resource

14.1 As the application site relates to a restored minerals working site and lies in close proximity to active minerals extraction site the County Planning Authority were consulted for their views on mineral resource matters. Their comments are as follows:

Context:

14.2 *The application site comprises a restored mineral site, which formed part of a larger area permitted on appeal on 24 July 1954 for extraction of fuller's earth and overlying minerals (sand). The land covered by the 1954 planning permission was worked and restored on a phased basis for which a series of working programmes were approved.*

14.3 *Under the 1954 permission, restoration was to be to agricultural use apart from parts of the area where restoration to forestry was more appropriate. The fuller's earth was processed at a number of processing works, including Park Works situated in the southern part of the site. The Park Works site was accessed off the A25 via Park Works Road. The southwestern part of the site (Pimlico Wood and land to the north) and west of Gore Meadow formed part of*

the former Cockley Works site. Under the phased working and restoration programmes, the land within the different parts of the site was worked and restored over a period in excess of 40 years. Different parts of the site were known as Cockley, North Cockley, Gore Field/Meadow, Park Wood, Park Works, Beechfield 1 and 2, Marsh/Nutfield Marsh, Nutfield. Restoration involved backfilling the land with factory/mineral processing waste, overburden, and imported waste materials (including and commercial, industrial, and household wastes).

- 14.4 *Consequently, as per the National Planning Policy Framework 2023 (NPPF) Annex 2: Glossary, the application site is not 'previously developed land'. Previously developed land excludes land that has been developed for mineral extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures.*
- 14.5 *The MWPA note that the northern part of the application site lies within a Minerals Safeguarding Area (MSA) for soft sand and extends into a MSA for silica sand adjacent to (south of) an Area of Search for silica sand.*
- 14.6 *Additionally, it is noted that the northern part of the application site lies west of and adjacent to Mercers South Quarry. However, it is acknowledged that the built development proposed would be concentrated in the southern part of the application site adjacent to Nutfield Road and over 500 metres from the operational parts of the quarry (save for its haul road to and vehicular access off Nutfield Road).*
- 14.7 *The quarry site is operational and is concerned with the extraction and screening of soft sand, and the infilling of the quarry void with inert waste as part of phased restoration works. The quarry also hosts a temporary waste recycling facility (Ref. TA/2022/1155) which produces recycled aggregate for sale and export. The principal planning consent relating to the mineral working is TA/2013/1799, dated August 2014, which requires that extraction and transport of indigenous minerals to cease on or before 31 December 2031, ongoing restoration of the site by infilling to cease on or before 31 December 2035, and restoration of the quarry to be completed by 31 December 2036. Similarly, consent Ref. TA/2022/1155 requires recycled aggregate production to cease by 31 December 2035.*
- 14.8 *Further to this, the application site lies approximately 1km east of Patteson Court Landfill. The landfill is operational and concerned with the disposal of non-hazardous waste and associated infrastructure including an electricity substation and odour control plant, landfill gas and leachate treatment, and a soil recycling facility.*
- 14.9 *The principal planning consent relating to the landfill is Ref. RE/P/13/00203/CON dated December 2013, and this requires that the landfill to close on or before 31 December 2030. Presently, consent is being sought (s73 application Ref. RE20/02801/CON) for non-compliance with Conditions 1, 15, 19, 23, 24 and 25 of permission Ref. RE/P/13/00203/CON to provide for updated restoration phasing details and revisions to the restoration masterplan; detail of western bund construction; clarify the use of internal haul roads; and to review approved plans and particulars. However, no change to the end date of the facility is proposed as part of this proposal.*

Minerals

14.10 For the reasons set out above, relevant Development Plan policies relating to the proposed development include:

Surrey Minerals Plan Core Strategy 2011

- *Policy MC1 Spatial strategy location of mineral development in Surrey (sole allocated site at Mercers Farm for soft sand and silica sand area of search at Chilmead Farm) Policy*
- *MC6 Safeguarding mineral resources and development Policy*
- *MC7 Aggregate minerals supply Policy*
- *MC8 Silica sand supply*

Surrey Minerals Plan Primary Aggregates DPD 2011

- *Policy MA1 Aggregate supply Policy*
- *MA3 Preferred areas for soft sand*

14.11 In considering the proposed development I have had regard to the following documents:

- *Planning Statement (dated October 2023)*
- *Ground Investigation Report (Ref. HGH/NU/JRC/20064/01F, dated October 2023)*
- *Third-party review of geoenvironmental assessments (letter dated 8th September 2023) (Contained within Planning Statement, Appendix 3)*
- *Noise Assessment (Ref. 90678/PNA, dated 24th May 2023)*
- *Odour and Dust Assessment (Ref. J10/13497A/10/1/F3, dated 12th October 2023)*
- *Air Quality Assessment (Ref: J10/13497A/10/1/F2, dated 6th October 2023)*

14.12 I have also had regard to the relevant reason for refusal of planning application Ref. 2021/1040:

"9. The applicant has failed to demonstrate that the development would not impact on existing and potential mineral workings in the vicinity of the site by potential contamination of nationally and regionally important minerals. In addition, the proposed development would have a negative impact on the rate of restoration of Mercers South Quarry site and sand extraction consequently and increasing the number of sensitive receptors in the vicinity of the Mercers South Quarry site contrary to Policies MC1, MC6, MC7 and MC8 of the Surrey Minerals Plan 2011, Policies MA1 and MA3 of the Primary Aggregate DPD 2011 and Policies 5, 6 and 14 of the Surrey Waste Local Plan 2019 and the provisions of the NPPF 2021".

14.13 The National Planning Policy Framework 2023 (NPPF) (now 2024) sets out in paragraph 216 (now Paragraph 223) that planning policies should safeguard mineral resources by defining MSAs and Mineral Consultation Areas and adopt appropriate policies so that known locations or specific mineral resources of local and national importance are not sterilised either directly or indirectly by non-material development where this should be avoided. Paragraph 218 (now Paragraph 225) goes on to explain that Tandridge District Council should not normally permit other development proposals in MSAs if it might constrain potential future use for mineral working.

14.14 Paragraph 193 (now Paragraph 200) of the NPPF explains that planning decisions should ensure that new development can be integrated effectively with existing businesses and facilities. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

14.15 Accordingly, Policy MC6 of the Surrey Minerals Plan Core Strategy 2011 (SMP) seeks to prevent the sterilisation of mineral resources by other development and explains that Tandridge District Council will be expected to consult the MWPA about any proposal for development that would prejudice the effective operation of sites that are currently in minerals use or permitted for such use; sterilise mineral resources in PAs for future minerals extraction; or sterilise mineral resources within MSAs. The SMP forms part of the Development Plan and therefore planning application Ref. 2023/1281 should be determined in accordance with Policy MC6 of the SMP unless material considerations indicate otherwise. The MWPA has recently published a new guidance note to complement and aid in the implementation of Policy MC6.

14.16 Having regard to the previous development proposed for the application site (Ref. 2021/1040), concerns were raised by the MWPA regarding the potential for contamination, and therefore sterilisation, of nationally important silica sand deposit at Chilmead (the Area of Search referenced above) and Mercers South Quarry through the surcharging and loading of historic landfill. The MWPA was also concerned about the introduction of additional sensitive receptors close to the quarry site and the prejudicial implications this may have on the same.

14.17 The current proposal excludes the construction of an activity park using imported inert materials, and the application is supported by a Ground Investigation Report (Ref. HGH/NU/JRC/20064/01F, dated October 2023). Further, the submitted Planning Statement (dated October 2023) contains a third-party review of geoenvironmental assessments (letter dated 8 September 2023). As such, the MWPA consider that part of reason for refusal No. 9 has been adequately addressed by the applicant, however Tandridge District Council should satisfy itself that the proposed development will not cause contamination given the previous land-uses associated with the application site.

14.18 Moreover, the nature and scale of Mercers South Quarry means that it has the potential to give rise to dust, noise, and vehicle movements (including HGVs) which may adversely impact local amenity and sensitive receptors associated with the proposed development. This may in turn prejudice the continued and effective operation of the mineral working. Given concentration of sensitive receptors within the southern part of the application site at some distance from the operational part of the quarry, and intervening built development, highways, and fields/woodland, the risk of such prejudice arising is likely to be low. However, Tandridge District Council should satisfy itself that the Noise Assessment (Ref. 90678/PNA, dated 24 May 2023), Odour and Dust Assessment (Ref. J10/13497A/10/1/F3, dated 12 October 2023), and Air Quality Assessment (Ref. J10/13497A/10/1/F2, dated 6 October 2023), submitted as part of the application demonstrate that that the permitted operations of the existing quarry have no impact on the occupants of the proposed development.

14.19 Whilst a portion of the application site to the north lies within two MSAs and adjacent to an Area of Search for silica sand, the application site has previously been worked and restored and is therefore unlikely to be a viable mineral extraction opportunity in future. No built development is proposed close to the relevant Area of Search and so the proposed development is unlikely to prejudice any future working within this area. In this context the MWPA does not consider that the proposed development is likely to result in the sterilisation of a viable mineral resources.

Sustainable Waste Management

14.20 For the reasons set out in ‘context’ above, relevant Development Plan policies relating to the proposed development include:

Surrey Waste Local Plan 2020

- *Policy 4 Sustainable Construction and Waste Management in New Development*
- *Policy 7 Safeguarding*

14.21 In considering the proposed development I have had regard to the following documents:

- *Planning Statement (dated October 2023)*
- *Noise Assessment (Ref. 90678/PNA, dated 24 May 2023)*
- *Odour and Dust Assessment (Ref. J10/13497A/10/1/F3, dated 12 October 2023)*
- *Air Quality Assessment (Ref: J10/13497A/10/1/F2, dated 6 October 2023)*

14.22 Paragraph 193 (now Paragraph 200) of the NPPF explains that planning decisions should ensure that new development can be integrated effectively with existing businesses and facilities. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.

14.23 Accordingly, Patteson Court Landfill is safeguarded by virtue of Policy 7 of the Surrey Waste Local Plan 2020 (SWLP) which sets out that development proposals in proximity to safeguarded waste management facilities must demonstrate that they would not prejudice the operation of that facility. The SWLP forms part of the Development Plan and therefore planning application Ref. 2023/1281 should be determined in accordance with Policy 7 unless material considerations indicate otherwise.

14.24 The nature and scale of the existing landfill facility means that it has the potential to give rise to odour, noise, and vehicle movements (including HGVs) which may adversely impact local amenity and sensitive receptors associated with the proposed development. This may in turn prejudice the effective operation of the existing waste management facility. Given the siting of the residential development within the application site and intervening built development, highways, and fields/woodland, the risk of such prejudice arising

is likely to be low. However, Tandridge District Council should be satisfied that the Noise Assessment (Ref. 90678/PNA, dated 24 May 2023), Odour and Dust Assessment (Ref. J10/13497A/10/1/F3, dated 12 October 2023), and Air Quality Assessment (Ref. J10/13497A/10/1/F2, dated 6 October 2023), submitted as part of the application demonstrate that that the permitted waste management facility would not have an unacceptable impact on the occupants of the proposed development.

14.25 *Notwithstanding the above and having regard to the nature and scale of the proposed development, it will generate a significant volume of construction, demolition, and excavation waste (CD&E waste) and waste and local authority collected waste (LACW) and commercial and industrial waste (C&I waste) once operational or otherwise occupied.*

14.26 *The National Planning Policy for Waste 2014 (NPPW) explains at paragraph 8 that in determining planning applications for non-waste development Tandridge District Council should ensure that new development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development. This includes providing adequate storage facilities (e.g. ensuring that there is sufficient and discrete provision for bins) to facilitate a high quality, comprehensive and frequent collection service; and the handling of waste arising from the construction in a way that maximises reuse/recovery opportunities and minimises off-site disposal.*

14.27 *Accordingly, Policy 4 of the SWLP seeks to ensure that planning permission for any development is granted only where CD&E waste is limited to the minimum quantity necessary; opportunities for re-use and for the recycling of CD&E waste on site are maximised; on-site facilities to manage waste arising during the operation of the development are of an appropriate type and scale, and; integrated storage to facilitate reuse and recycling of waste is incorporated in the development. Planning application Ref. 2023/1281 should also be determined in accordance with Policy 4 unless material considerations indicate otherwise. The MWPA has recently published a new guidance to complement and aid in the implementation of Policy 4.*

14.28 *The MWPA consider that the submitted documents provide insufficient detail as to how LACW and CD&E waste arising from the development is to be managed and by who and identifying opportunities for reuse and recycling of CD&E waste to arise from the development. As such, the MWPA recommend that a Site Waste Management Plan is submitted to Tandridge District Council for approval prior to any construction, demolition or excavation works taking place, so that the Council can be satisfied that the measures proposed are sufficient and make best use of the waste generated.*

14.29 *Accordingly, the MWPA raises **NO OBJECTION** to the proposed development subject to:*

- 1. Tandridge District Council being satisfied that the design of the proposed development gives sufficient consideration to and incorporates appropriate measures to ensure that it would not prejudice the operation and restoration of Mercers South Quarry in accordance with Policy MC6 of the Surrey Minerals Plan Core Strategy Development Plan Document 2011 and Paragraph 193 (now Paragraph 200) of the NPPF.*

2. *Tandridge District Council being satisfied that the design of the proposed development gives sufficient consideration to and incorporates appropriate measures to ensure that it would not prejudice the operation of Patteson Court Landfill in accordance with Policy 7 of the Surrey Waste Local Plan 2020 and Paragraph 193 (now Paragraph 200) of the NPPF.*

3. *Tandridge District Council being satisfied that the development includes adequate facilities for waste storage and recycling, and that adequate controls exist to ensure that waste storage and recycling is maintained and managed for the life of the development, in accordance with Policy 4 of the Surrey Waste Local Plan 2020.*

4. *The imposition of a planning condition on any consent issued requiring the submission of a waste management plan to Tandridge District Council for approval prior to the commencement of the development. This plan should demonstrate that CD&E waste generated as a result of the development is limited to the minimum quantity necessary; and opportunities for re-use and recycling of CD&E waste is maximised in accordance with Policy 4 of the Surrey Waste Local Plan 2020.*

- 14.30 It is considered that the proposed development gives sufficient consideration to and incorporates appropriate measures to ensure that it would not prejudice the operation and restoration of Mercers South Quarry in accordance with Policy MC6 of the Surrey Minerals Plan Core Strategy Development Plan Document 2011 and Paragraph 200 of the NPPF 2024.
- 14.31 It is also considered that the proposed development gives sufficient consideration to and incorporates appropriate measures to ensure that it would not prejudice the operation of Patteson Court Landfill in accordance with Policy 7 of the Surrey Waste Local Plan 2020 and Paragraph 200 of the NPPF 2024,
- 14.32 Had the LPA been minded to approve the application then appropriate conditions to address the waste minimisation, storage and disposal issues raised by the County Council.

15.0 Land Contamination

- 15.1 Paragraph 183 of the NPPF 2021 states, 183. Planning policies and decisions should ensure that:
 - a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);
 - b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
 - c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.
- 15.2 Policy DP22 of the Detailed Policies 2014 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.

15.3 The application has been accompanied by a Site Investigation Report which concludes that:

Based on the site investigation it is considered that the proposed development itself may introduce a need to manage made ground materials which are excavated, particularly in the area of PAH hotspot in the south of the western area of the site, and a need to install suitable gas mitigation measures as part of the engineering design and construction of buildings which may be close to the historical landfill site to the north and west of the western area of the site. Where buildings and structures are to be constructed, particularly in the areas of yellow/orange silt/clay deposit derived from the Fuller's Earth processing operations, further detailed assessment may be necessary in order to design the foundations including the use of sulphate resistant materials. Where gardens are proposed, and arsenic and beryllium concentrations are above GAC for residential use with homegrown produce suitable cover materials and protection measures may be needed.

The conclusions and recommendations presented in this report are based on the investigation works carried out on the site to date and assumptions are made with regard to the ground conditions between the borehole and trial pit locations. Prior to the detailed design of the development further site investigation will be carried out at the development site focussed particularly on the areas of known former land use and proposed residential development which were inaccessible during the 2023 site investigation and in the area of PAH hotspot in the south of the western area of the site. Further gas monitoring will be needed at the site to confirm ground gas conditions and in the vicinity of the historical landfill to the north and west of the western area of the site to help inform the suitable design of gas mitigation measures as part of the engineering design and construction of buildings which may be close to the historical landfill site. Subject to the findings of the further site investigation and risk assessments a remediation strategy, to the extent that it is necessary, will be prepared based on an options appraisal pursuant to planning conditions to achieve ground conditions and a development which is protective of human health and the environment in accordance with appropriate standards.

Ground conditions

The site is underlain by the Sandgate Formation comprising mainly clays together and glauconitic, limonitic and ferruginous sands with seams of Fuller's Earth. Based on the 2023 site investigation the weathered Sandgate Formation is recorded at the site as sand, silt and clay with sandstone and mudstone. The majority of the site has been used historically for Fuller's Earth works with mineral extraction and landfilling close to the boundary with slight cross over in the west and the north of the site. Based on the 2023 site investigation the site is generally underlain by made ground between approximately 1m and a minimum 5m thick comprising sandy clay with varying amounts of silt, sand, gravel and cobbles of sandstone together with orange silt and occasional mudstone, brick, chalk, coal and flint. In the western area of the site the made ground includes occasional grey silt/ clay, organic clay, black clay with hydrocarbon odours, orange clay/ silt and rare wood. Made ground is generally absent in the east and central north of the western area of the site. In the central

and eastern area of the site the orange silt is more prominent and the made ground includes occasional clinker.

A range of metals and PAHs were recorded in the samples of made ground however the concentrations recorded are below the GAC for residential land use with home grown produce with the exception of arsenic and beryllium concentrations across the site and the area of PAH hotspot in the south of the western area of the site. It will be necessary to implement a watching brief for development works in order that excavated materials are suitably managed. It may also be necessary to make sure that should there be residential gardens in this area that there is a sufficient cover of clean materials.

Geotechnical information

The made ground and geological conditions vary across the site and consequently the geotechnical properties of the made ground and underlying strata vary. Accordingly, this variability will influence the engineering design for the components of the proposed development. Information on geotechnical properties of the ground are presented in Section 7 of this report and should be reviewed by a suitably qualified engineer to inform the detailed engineering design of the site. Additional geotechnical parameters could be gathered at the time of the proposed further site investigation to inform further the detailed engineering design of the site.

Based on the results of the 2023 site investigation, water soluble sulphate concentrations in soil samples indicate an Aggressive Chemical Environment for Concrete (ACEC) classification of AC-2s (reference 10) should be adopted for buried concrete in the orange silt material whereas an ACEC classification of AC-1s can be adopted for buried concrete across the rest of the site. A summary of the records of orange/yellow clay/silt across the site is presented in Table 12.

Cut and fill

Given the topographic falls across the site and the nature of the proposed development a 'cut and fill' groundworks scheme will be necessary. With regard to the possible reuse of made ground materials, chemical testing of the materials comprise primarily sandy clay associated with reworked natural strata and has not recorded significantly elevated concentrations of contaminants and, other than a need to carry out treatment by sorting, separation and segregation for the removal of unsuitable materials, once the materials are segregated it may be possible to reuse components on site where it is safe and suitable to do so and where the separated materials meet the relevant engineering criteria and contamination guideline criteria. It is considered that it will be possible to reuse suitable excavated materials to facilitate the development on other areas of the development site if these activities are managed under the Definition of Waste: Development Industry Code of Practice (DoWCoP) (reference 11) site of origin scenario whereby materials are reused on the site from which they are excavated, without treatment (a non-waste) or after on-site treatment (a waste) and whereby treatment is carried out under relevant authorisation. It will be necessary to prepare supporting technical guidance, for example a risk assessment and remediation strategy together with a site-specific materials management plan if the reuse of materials is undertaken. Should it not be possible to reuse these materials it will be necessary to remove these wastes off site to a suitably permitted waste management facility.

Gas protection measures

Elevated concentrations of methane and carbon dioxide and depleted concentrations of oxygen have been recorded at the boreholes located in the Gore Meadow/North Hockley Landfill. Gas screening values (GSV) have been calculated based on the results of the gas monitoring. Based on the GSVs the values calculated for the boreholes within the landfill are "Characteristic Situation 2 (low risk)" for methane and carbon dioxide and the GSVs for the site are "Characteristic Situation 1 (very low risk)" for methane and carbon dioxide. Although the GSV Characteristic Situation are calculated at a low risk, the Characteristic Situation are calculated at a low risk because there is little or no gas flow, but the concentration of methane and carbon dioxide are high in the area of the landfill. The design of buildings constructed adjacent to the landfill may need to incorporate gas protection measures as a precautionary action.

Further investigations

Due to environmental, principally ecological, constraints it was not possible to gain access to carry out suitable site investigation in areas of known former land use and proposed residential development, in particular in the west of the western area of the site. Further site investigation may be necessary to inform the detailed design such as more information on geotechnical properties of the ground to inform suitable foundation design. 9.11 In accordance with guidance for ground gas assessment additional ground gas monitoring may be necessary to assess suitable mitigation measures.

Conclusion

The site investigations have not identified any significant contamination in the area of proposed residential and commercial development which it is considered cannot be remediated as part of the development. As is the accepted normal practice for developing sites with historical industrial uses further site investigation work will be carried out pursuant to planning conditions and a remediation strategy, to the extent that it is necessary, would be put in place to achieve ground conditions and a development which is protective of human health and the environment in accordance with appropriate standards.

15.4 The Report has been reviewed by the Environmental Health Officer who has as follows:

I think the proposed location of the monitoring is fine, but can I ask you (the applicant) to flesh out:

- *The depth of the proposed new monitoring locations*
- *The proposed gas monitoring strategy that will be used for gas in the new wells.*
 - *When will the monitoring be carried out*
 - *How long will the continuous monitors be in place for*
 - *How many times will the exercise be repeated.*
- *Also, can you point me to a conceptual cross section that shows the depth of the landfill in relation to the Sandgate formation, or can you provide a paragraph to explain how the Sandgate formation relates to the site and the landfill*

Finally, the EPG comments recommend the following:

Zone 1

- Boreholes to be excavated as close to the development zone perimeter as allowable to investigate potential gas and groundwater pollution migration from surrounding North Cockley Quarry, Nutfield Priory and Beechfield Quarry landfills.
- One borehole should be excavated as close as possible to the former tanks located in the northwest of the site. The suggested optimal location is around BNG 530068 150705.
- One borehole should be excavated as close as possible to the Nutfield Priory landfill, i.e. in the southwest corner of the development zone BNG 530107 150478.
- The general coverage of trial pits is considered appropriate.

How deep do you consider is necessary to sample the ground water and which boreholes/borehole will you propose to extract ground water from?

15.5 No further information was subsequently provided and therefore this matter remains outstanding. Had the application otherwise been considered to be acceptable then it would have been necessary to impose appropriate conditions to secure further information regarding the land contamination issues at the site.

16.0 Housing Balance

16.1 Policy CSP7 requires proposals to contain an appropriate mix of dwellings in accordance with current identified needs. The Council's evidence base includes a Strategic Housing Market Assessment 2015 and its 2018 update. The SHMA and its outputs are reflected in our Housing Strategy Policy HS1: Market Housing, which is contained in the Council's most recent Housing Strategy (A Place to Call Home; 2019) which sets the direction for a variety of housing typologies.

16.2 This indicates that for most schemes the majority of housing should be provided in the form of houses (79%) rather than flatbed accommodation (21%). It is noted that this proposal comprises 30% flatbed accommodation and 70% in the form of houses.

16.3 In terms of size of housing, the SHMA highlights that the smallest need across the district is likely to be for 1-bed units (10%), with need for 2-bed units (across flats and houses) amounting to 26% followed by 29% need for 4+ bed-units and the greatest need for 3-bed units at 35%. The evidence base should be used to guide the type and size of housing provided in order that any proposal provides a mix which suits the district's needs. Based on the sizing required, this scheme should provide the following:

- 21 x 1-bed
- 54 x 2-bed
- 72 x 3-bed
- 60 x 4+bed.

16.4 This proposal is for 207 residential units (including 41 Retirement Living or extra care units). Whilst no specific unit mix has been provided by the applicant it has been indicated that the proposal would provide 10% 1-bed units, 27% 2-bed units, 39% 3-bed units and 25% 4-bed+ units (Unfortunately, these figures amount to 101%). Whilst it is not clear if these percentages include or exclude the 41 Retirement Living units if the figures did apply to the total 207 units the

development would provide around 21 1-bed units, 55 2-bed units, 80 3-bed units and 51 4-bed + units.

16.5 As such, the scheme appears to generally accord with the mix of housing required, although it over provides on 3-bed houses and under provides on 4-bed+ dwellings. Given the sites location within a semi-rural area the mix of homes is considered appropriate. However, while the proposed development would accord with Policy CSP7 of the Core Strategy 2008 it would not outweigh the other harm identified within this report.

17.0 Affordable Housing

17.1 The affordable housing provision will need to be set in the context of national and local planning guidance. Policy CSP4 of the Core Strategy states, 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.

17.2 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:

- a) 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.
- b) 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).
- c) 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.
- d) 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.

17.3 Policy CSP4 of the Core Strategy indicates that 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 of 10 units or more

that up to 34% of the dwellings should be affordable.

17.4 The Policy indicates that the actual provision will be negotiated on a site-by-site basis after taking into account market and site conditions. It further states that affordable housing may be in the form of social rented or intermediate or a mix of both. The Council may require up to 75% of the affordable housing on a site to be social rented, the precise proportions will be agreed with the Council having regard to the specific needs at the time and within the area.

17.5 The Policy confirms 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; such alternative site may trigger a requirement for affordable housing itself, such a requirement will be on top of the alternative site provision. The Council will retain the discretion to accept such alternative provision, particularly having regard to the need to contribute to mixed communities.

17.6 It is stated that 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.

17.7 Paragraph 156 of the NPPF is also directly relevant and indicates, amongst other things, that:

Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review, or 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;...

17.8 Paragraph 157 confirms:

Before development plan policies for affordable housing are updated in line with paragraphs 67-68 of this Framework, 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 the absence of a pre-existing requirement for affordable housing, a 50% affordable housing contribution should apply by default. The use of site-specific viability assessment for land within or released from the Green Belt should be subject to the approach set out in national planning practice guidance on viability.

- 17.9 The application proposal has been amended to confirm that the development would provide 50% affordable housing provision. The applicant has also confirmed within the Affordable Housing Update Statement, dated August 2025, that: "The proposed tenure split will be determined at reserved matters stage but will reflect the requirements of relevant local and national policy and guidance adopted at that time. The proposed affordable housing will be secured by way of a section 106 planning obligation."
- 17.10 Given the above conclusions the proposal would comply with the requirements of Policy CSP4 of the Core Strategy 2004 and the NPPF and would provide marginally above the requirement specified in paragraph 156 of the NPPF by two units.

18.0 Extra care provision

- 18.1 Policy CSP7 encourages the provision of housing for the elderly where appropriate, whilst policy CSP8 directly engages with Extra Care Housing and sets out what should be considered. The Tandridge District Housing Strategy also recognises the need for sheltered accommodation for older people within the district, focusing on those in real need of support. Its strategic approach includes focusing and improving sheltered housing in five key areas: Warlingham, Caterham Hill/Valley, Oxted/Hurst Green, Godstone/Bletchingley and Lingfield/Dormansland.
- 18.2 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, minimal development expectations and future needs for extra care housing. The Commissioning Statement for Tandridge (April 2019 onwards) states that development proposals for extra care should demonstrate the level of accessibility to local facilities through a choice of accessible transport options and to be in a location that would not face any barriers to leaving the setting or returning to it (such as being located on a hill or other gradients which would present challenges to people who have difficulties walking or who use wheelchairs). The location of housing is a key consideration for older people and factors to consider include proximity to good public transport, local amenities, health services and town centres. The setting should not only enable people to create a new community with their new neighbours on-site, but the setting should be sympathetic and supportive of people maintaining their links with the wider community.
- 18.3 This application proposes up to 70 care home beds (Class C2); up to 41 extra care facility beds; and up to 1,500 sqm Class E(e), F2 flexible use floorspace, including health care and community floorspace in what is described as an 'Integrated Retirement Community' (IRC).
- 18.4 The Senior Commissioning Manager at Surrey County Council Adult Social Care has reviewed the submitted documentation and has raised a number of issues, a number of which have still not been satisfactorily resolved. With regard to the applicants contention that there has been an overall failure in policy terms to meet the housing needs of older people it is considered that the applicants position focuses very much on Tandridge District Council's adopted development plan, but ignores Surrey county Council's Right Homes Right Support Programme and the outline planning approval for a development of the Orchard Court care site in Lingfield for affordable extra care housing.

18.5 In terms of identifying the number of beds in the Tandridge District area it is considered that the applicant is working on the assumption that only care homes which meet the needs of older people are worthy of consideration. However, the client population for care homes in the district is diverse and 11 of the care homes currently available are registered to meet the needs of people who are under as well as over 65, possibly with learning disabilities and with other needs. It is therefore considered that the applicant has not examined the full scope of care home provision in the area which can meet the needs of older people and has therefore inflated the potential need for the facility.

18.6 With reference to the contention that the proposed Integrated Retirement Community should be considered to be a Use Class C2 facility rather than a Use Class C3 it is considered that age restriction and the receipt of care is not sufficient in itself to confirm a C2 use. This is obvious when examining the complexity of arguments for C2 planning use in planning appeals and the level of detail in AECO's model s106 agreement. The level of communal facilities has proved crucial in appeal decisions when inspectors have had to determine a planning use. It is therefore considered to be odd for the applicant to state that: "the additional facilities that are proposed in this scheme go beyond that and are not essential to defining the C2 element", without showing how the level of facilities to be provided are intrinsic to the specialist housing and therefore would enable it to "operate separately to the care home".

18.7 The applicant's position that whilst the significant majority of the care homes in the district have CQC ratings of "Good" or "Outstanding" for the quality of their care, there is no correlation between the facilities at each care home and these ratings, is considered to be subjective and does not engage with the existing market's capability to deliver high quality care as recognised by the CQC, or the potential for existing sites to be redeveloped.

18.8 Overall, it is therefore concluded that applicant has not set out which facilities actually form an integral part of the residency of the specialist housing units to warrant a determination that they would fall within the C2 Use Class, such that the development can be regarded as an Integrated Retirement Community as opposed to Retirement Housing or a Care Home for which there is not an identified need.

18.4 The applicant has therefore failed to demonstrate the care provision is appropriately located and would meet the needs of the district and future occupant's contrary to Policies CSP7 and CSP8 of the Core Strategy 2004

19.0 Character and appearance

19.1 It is noted that this application is for outline planning permission and that access is the only matter for detailed consideration. The submitted documents in respect of access and layout provide sufficient information for an assessment to be made in respect of the impact of the development on the character and appearance of the site and wider area.

19.2 The NPPF (2024) states that design is integral to sustainable development and that the creation of high-quality 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.

19.3 The Tandridge Core Strategy predates the NPPF, but the national policy advises that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework.

19.4 Tandridge Core Policy CSP18, seeks to ensure that new development is of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained. This is detailed further within Policy DP7 which sets out the expectations of the LPA in terms of design and quality of development. These policies are consistent with the NPPF and should therefore be accorded significant weight in the assessment of this application.

19.5 The provision of two vehicular accesses from Nutfield Road (one emergency only) is consistent with the prevailing character of sporadic residential developments. While the main access road to the south along the A25 would be larger in width it would not be at odds with the character of the surrounding area. From a character perspective there is no objection to the location of the access.

19.6 As shown on the submitted Illustrative Masterplan, the application proposes the provision of three areas of new built development. To the western side of the site, it is proposed to provide a new residential development, identified as 'Green Park West'. This component would have a frontage to the A25 with a width of around 270 metres and would extend back into the site to the north by around 290 metres. This area of development would be located to the west of Parkwood Road and would occupy an area of existing woodland.

19.7 Further to the east, to the rear of the Memorial Hall and Sports Pitch, it is proposed to provide another area of residential development, identified as 'Park Wood Hamlet'. This area of development would have a width of around 145 metres and a depth of 137 metres.

19.8 Further to the east still, toward the eastern boundary of the site and to the rear of Shortacres and Hunters Gate, it is intended to provide the Integrated Retirement Community (IRC) that would provide a Care Home facility, retirement living accommodation and some commercial floorspace. This component would have a width of around 188 metres and a depth of 154 metres.

19.9 The building footprints in this IRC area would be large in comparison to neighbouring buildings; however, it is acknowledged that the end use would be materially different to that of single-family dwellings. The buildings would be appropriately set back from the highway, behind existing residential development; however, it is considered that the site has the scope to provide a layout which would allow for a good degree of soft landscaping which could help soften the appearance of the development; matters surrounding the scale of these buildings would be dealt with at the reserved matters stage. Given the size of the site, the set back from the highway and intended end use this element of the proposal is capable of forming its own character while respecting the character of street facing development. As a result, it is not considered that the IRC would result in significant harm to the character and appearance of the area when viewed from the A25. However, the IRC would be likely to be visible

from Church Hill to the east and would be likely to impact on views from St Peter and St Paul Church.

19.20 Turning to the residential areas concerns exist in respect of the significant scale and spread of this development. The pattern of the existing development form in the settlement is sporadic and demonstrates the gradual evolution of the Nutfield which, at heart, is a small historic village. The Masterplan seeks to provide a number of dwellings centred around new residential roads, but all are of a much larger scale to that seen in the wider townscape and to the extent that the new development could in fact overwhelm the scale and form of Nutfield itself. This dominating form would cause significant harm to the village character of Nutfield which could be incongruous to the locality. This approach would push the extent of the built form further north, virtually doubling the depth of built development back from the A25, resulting in an encroachment into the countryside and would also result in the substantial reduction of woodland toward the eastern entrance to the settlement. The loss of an established woodland and its replacement with built form would result in significant harm to the verdant and sylvan character of the area which should not be encouraged.

19.21 For the reasons given above the proposal would result in localised harm to the character and appearance of the , which would be apparent in views from the A25, Church Hill and the extensive public right of way network within and around the wider site, contrary Policies CSP 18 of the Core Strategy and DP7 of the Local Plan and the provisions of the NPPF 2024.

20.0 Neighbouring Amenities

20.1 Paragraph 135 of the NPPF 2024 states:

Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

20.2 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 other adverse effect. Policy DP7 of the Local Plan: Part 2 has the same objectives of protecting neighbouring amenity embodied in criterions 6-9. The policy contains minimum distance relating to new development and existing properties of 14m between principal windows of existing dwellings and the walls of new buildings without windows and 22m where habitable rooms of properties would be in direct alignment.

20.3 As a result of the size of the site and the significant distance between various elements of the proposal and the adjoining occupiers it is not considered that the proposal would appear visually intrusive, nor would it result in a loss of privacy. The details of window positions and glazing types would follow as part of the reserved matters (appearance) and are capable of being secured via condition at that stage of the process if deemed necessary in neighbouring amenity terms.

21.0 Amenities of Future Occupiers

21.1 Any reserved matters application would be expected to comply with the requirements of the Technical housing standards – nationally described space standard 2015 which 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. While not formally adopted by this Council it is a useful indicator of appropriate floor spaces.

21.2 Policy DP7 of the Detailed Policies 2014 states that new development will be granted when the following matters are addressed... *Environment*: The proposals provide a satisfactory environment for the occupiers of both the existing and new development... *Facilities*: The proposal provides appropriate facilities 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.

21.3 Given the size of the site and overall layout it is considered that any proposal that would come forward at the reserved matters stage could be designed to the satisfaction of the LPA.

22.0 Biodiversity and Ecology

22.1 Policy CSP17 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. (34) 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.

22.2 Policy DP19 of the Detailed Policies 2014 states, there will be a presumption in favour of development proposals which seek to:

1. Protect, enhance or increase the provision of, and access to the network of multi-functional Green Infrastructure (GI);
2. Promote nature conservation and management;
3. Restore or create Priority Habitats; or
4. Maximise opportunities for geological conservation.

B. In order to conserve and enhance the natural environment, proposals which would result in significant harm to local, national or statutory sites of

biological or geological importance or the broader GI network will be refused planning permission unless:

1. All reasonable alternative locations with less harmful impacts are demonstrated to be unsuitable; and
2. The proposal incorporates measures to avoid the harmful impacts arising, sufficiently mitigate their effects, or, as a last resort, compensate for them.

C. Where a proposal is likely to result in direct or indirect harm to an irreplaceable environmental asset of the highest designation, such as a Site of Special Scientific Interest (SSSI), ancient woodland or veteran trees, the granting of planning permission will be wholly exceptional.

1. With regard to SSSIs, exceptions will only be made where benefits of development at the site clearly outweigh both the impacts on the features of the site and on any broader networks of SSSIs.
2. In the case of ancient woodland and veteran trees exceptions will only be made where the need for and benefits of the development in that location clearly outweigh the loss.
3. In all cases, any impacts or harm should not just be mitigated, but overall ecological benefits should be delivered.

D. 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.

22.3 Net gain: - The supporting ecological information and DEFRA V6.5 Biodiversity Metric indicate that proposed landscaping design will achieve a net gain for biodiversity across the development site of 22.39% when compared against pre-development current site baseline.

22.4 Paragraph 187 of the National Planning Policy Framework (NPPF) makes it clear that: "Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should,

wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate”.

22.5 Paragraph 192 requires the promotion of “the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity”.

22.6 It would appear that proposed landscaping and the net gain can be delivered if proposals are adhered to, and such matters are capable of being secured through condition.

22.7 Natural England were consulted on the proposed development and have indicated that:

The site is within 3.5km of the Mole Gap to Reigate Escarpment SAC and SSSI; however, due to the intervening land uses, being the built-up areas of Redhill and Reigate there aren’t any direct impact pathways that could see impacts on site and there is plenty more open space locally, including that proposed in this development for residents to make use of recreationally.

There are a few other designated sites (SSSIs) within a similar distance to the east and north of the site however these again are also unlikely to be impacted due to the intervening land uses, including the M25 and M23 motorways.

Otherwise, we would highlight the fact that this development does fall within the Green Belt and is also a biodiversity opportunity area so we would encourage the 88% of the site which is proposed to be accessible open space to be enhanced sensitively where possible. The Biodiversity Net Gain figure quoted of over 20% to be achieved on site is welcomed however will need to be checked by the local authority to ensure it conforms to the final confirmed Statutory BNG metric as this assessment was carried out according to the BNG Metric v4.0. These improvements should, as mentioned in the Planning Statement prepared by HGH, be secured by a condition requiring a Habitat Management and Monitoring Plan should planning permission be granted.

These well managed and designed open spaces will encourage locals to walk in the immediate vicinity and not travel elsewhere which could add to recreational impacts at designated sites such as the Mole Gap to Reigate Escarpment SAC & SSSI.

Providing the actions as set out within the EclA report carried out by FPCR are carried out then the proposals should be beneficial however this final decision is for the local authority to make regarding the local plan policies and whether the development accords with these.

22.8 Surrey Wildlife Trust have indicated:

Construction Ecological Management Plan

A Framework Construction & Ecological Management Plan (FPCR, January 2025) has been submitted. If the application is granted, then this document and

strategy should be submitted as a *Detailed Construction & Ecological Management Plan*. This could be secured through a planning condition or submitted as part of reserved matters.

Habitat Management and Monitoring Plan

The 'Surrey Wildlife Trust Further Information Response' (5th February 2024) states that:

- *"As part of the Reserved Matters (RM) application, a Habitat Management and Monitoring Plan (HMMP) will be provided to detail how additional habitats will be created and how retained habitats will be enhanced. This will also include an Ecological Mitigation Enhancement Plan which will include prescriptions to deliver the specific faunal features as well as providing other measures deemed appropriate such as the provision of interpretation boards to inform residents of the sites value for biodiversity. The delivery of this HMMP and associated EMEP will be secured through a planning application once permission is granted".*

If the planning application is granted, then the Habitat Management and Monitoring Plan and the Ecological Mitigation & Enhancement Plan should be secured through planning condition(s) or submitted as part of reserved matters.

In this consultation we provided recommendation for a mitigation and enhancement strategy for birds, invertebrates, reptiles and amphibians. However, these could form sections of an overall Ecological Mitigation & Enhancement Plan. However, the LPA may wish for the different species groups to be separated into individual conditions or reserved matters.

The submission of this information should include a final and completed Biodiversity Metric Calculation Tool. We understand that the 4.0 was submitted as part of the design phase and therefore there is likely to be some amendment to the final biodiversity metric calculation. The Applicant should ensure that all habitat mapping, condition assessments and evidence corresponds with the final biodiversity metric calculation. For example, there is some inconsistency between Table 1 of the Ecological Impact Assessment and the Figure 1 UK Hab Survey Habitat Plan in the Ecological Impact Assessment (for example Table 1 – W5 is Other mixed woodland, Figure 1 W5 is lowland mixed deciduous woodland – in this example we have reviewed and assessed W5 as being lowland mixed deciduous woodland).

Protected Species – Bats

If the LPA grants the planning application that an update bat survey condition is part of the approval. We would advise that the scope of the condition includes:

- *Update bat preliminary ground level tree roost assessment.*
- *Bat presence/likely absence surveys of trees, as required.*
- *A suitably qualified and experienced ecologist to review whether update bat activity surveys are required.*
- *Final and Detailed Bat Impact Assessment and Mitigation Strategy.*

Badgers

We maintain the view that the lack of any monitoring through cameras is a limitation to the data collected and the classification of badger's setts. The submission(s) by FPCR has not changed this opinion. However, FPCR (January 2025) state "As part of updated surveys to be completed to support a reserved matters application, badger surveys will be completed. This will include updated checks and re-classification of all badger setts identified onsite."

In the understanding that this is an outline application, and that between a decision notice and any works commencing badger behaviour may change, update surveys and assessment should be secured through a planning condition or as part of reserved matters.

The survey report should contain sufficient detail to inform the LPA on the badger status at the application site and any mitigation, compensation and enhancement measures proposed to protect badgers prior to, during development and after work has been completed.

A map of survey findings should be included showing any badger field signs, including any setts, and their exact proximity to the development footprint.

The report should state the classification of badger setts identified i.e. Main, Annexe, Subsidiary, Outlier, together with justification for the classification chosen. This should be based on a detailed survey conducted over a monitoring period of 21 days of any setts located to establish the classification and usage of the badger sett(s).

Protected Species – Amphibians

If the application is granted, then a detailed Amphibian Mitigation and Enhancement Strategy is secured through a prior to commencement planning condition, or as part of reserved matters.

Protected Species – Reptiles

If the application is granted, then a detailed Reptile Mitigation and Enhancement Strategy is secured through a prior to commencement planning condition, or as part of reserved matters.

Protected Species – Invertebrates

Section 6 of the Invertebrate Survey Report by Mr. Mark Telfer provides two key recommendations for the planning application. This is based upon 'sandy grassland with areas of short sward and bare ground' and 'woodland with dead and decaying wood'.

If the planning application is granted, then an Invertebrate Mitigation and Enhancement Strategy, which is based upon the Invertebrate Survey Report, should be secured through a planning condition or as part of reserved matters.

Protected Species – Birds

If the planning application is granted, then a Bird Mitigation and Enhancement Strategy is secured through a planning condition which is prepared by a suitably qualified and experienced ecologist prior to commencement.

Sensitive Lighting Plan

If the application is granted, then a Sensitive Lighting Management Plan should be secured through a condition or reserved matters. It should be approved in writing by, the local planning authority prior to the commencement of the development. The Sensitive Lighting Management Plan should be in line with Guidance Note 8 Bats and Artificial Lighting Guidance Note 08/23, or updated industry guidance, and include a horizontal illuminance contour plan(s).

22.9 NatureSpace have reviewed the application in respect of any implications for great crested newts and have confirmed that:

We are not satisfied that the applicant has adequately demonstrated that there will be no impact to great crested newts and/or their habitat as a result of the development being approved.

The proposed development works could impact individual great crested newts and the local population of great crested newts through loss of habitat.

Therefore, in line with the guidance from Natural England (Great crested newts: District Level Licensing for development projects, Natural England, March 2021), there is a reasonable likelihood that great crested newts will be impacted by the development proposals and therefore, the applicant must either:

- Provide an outline mitigation strategy which confirms all impacts, mitigation, and compensation (and any monitoring) that is necessary to inform a licence application post planning (if permission is given).*
- Or alternatively the applicant can submit a NatureSpace Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through Tandridge Council's District Licence, which does not require any further survey effort (more details can be found at www.naturespaceuk.com).*

22.10 Overall, therefore no formal objections have been raised by the specialist consultees on biodiversity/ecology grounds, subject to the submission of further survey information and mitigation details at the Reserved Matters stage and as such the application is considered to be in general conformity with the requirements of Policy CSP17 of the Core Strategy and Policy DP19 of the Tandridge Local Plan.

23.0 Trees

23.1 Policy CSP18 of the Core Strategy 2008 states that, The Council will require that new development, within town centres, built up areas, the villages and the countryside is of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of

the site, important trees or groups of trees and other important features that need to be retained.

23.2 Policy DP7 of the Tandridge Local Plan Detailed Policies 2014 states that where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes provision for the retention of existing trees that are important by virtue of their significance within the local landscape. Their significance may be as a result of their size, form and maturity, or because they are rare or unusual. Younger trees that have the potential to add significant value to the landscape character in the future should also be retained where possible. Their retention should be reflected in the proposed development layout, allowing sufficient space for new and young trees to grow to maturity, both above and below ground. Where existing trees are felled prior to permission for development being sought, the Council may require replacement planting as part of any permission granted.

23.3 The application has been accompanied by an Arboricultural Assessment which concludes that:

The site consists of a former mineral extraction and processing site. There are no Tree Preservation Orders or Conservation Area restrictions covering the trees on site.

Tree cover across the site was a mix of individuals, groups of trees, woodlands, and a hedgerow and varied in quality and age, with most having been established since the cessation of quarrying activities on the site c. 50 years ago. The composition of the tree cover is largely native broadleaved species dominated by English oak and common ash, along with supporting species including but not limited to field maple, hazel, hawthorn, aspen, English elm, wych elm, silver birch, goat willow and dogwood.

Two areas were identified where tree cover was minimal, one to the west, and one to the east of the site and as such these have provided the main developable areas. The extent of these areas were informed by the fine scale tree survey, with high quality individual trees around both areas identified and retained, confirming built development to the central portions.

A third smaller central development parcel is proposed with a connecting access road through the site, which will inevitably require loss of trees. Both the central development parcel and the road have however been best positioned, where their placement will minimise impacts to the site tree cover.

Although some of the existing tree cover will inevitably need to be removed to facilitate the proposals, especially to provide a connecting link road between the two main areas of development, the overall proportion of loss is considered to be low in comparison to the amount of high and moderate quality trees being retained. Minimal areas of Category A woodland are proposed for removal to facilitate essential infrastructure and the smaller central development parcel.

The aim of the proposed design has been to retain as much of the existing high-quality tree cover on site as possible and as such will retain much of the existing character of the site. The development also provides a meaningful opportunity, in terms of arboriculture, to improve and manage the existing tree cover in the local area through appropriately applied work without the loss of any arboriculturally significant trees.

The projected impacts to retained trees and the proposed tree removals necessary to facilitate construction of the housing scheme are not considered to arboriculturally unacceptable if developing the site for residential use.

23.4 The submitted arboricultural information has been reviewed by the Council's Tree Officer who has stated:

The loss of both woodland and individual trees is far less significant than the previously refused application. It is apparent that much greater thought has gone into designing a layout around the constraints posed by the woodlands and trees, and this is reflected in the fact that the vast majority of high-quality individual trees and woodland is retained, with largely only lesser quality individual trees and partial woodland areas being shown for removal. However, further, more detailed design information would be required at reserved matters stage to ensure that the losses are as low as reasonably possible.

There are clear opportunities for compensatory planting within the areas to be developed, and any detailed submissions would need to include a comprehensive tree planting and soft landscaping strategy.

On balance, no objections are raised, but if you are minded to approve this outline application then please do consult me again for advice on reserved matters and conditions relating to tree retention, tree protection, compensatory and enhancement tree planting and soft landscaping provision.

23.5 Despite the significant level of tree loss that would result from the proposal, totalling 39 individual trees, 11 groups of trees, plus 6 partial removal of groups, and the partial removal of 6 areas of woodland, overall, the development proposal is not considered to conflict with the general requirements of Policy CSP18 of the Core Strategy and Policy DP7 of the Tandridge Local Plan and would be acceptable in terms of tree issues.

24.0 **Flooding/Drainage**

24.1 Paragraph 171 of the NPPF 2024 states that, strategic policies should be informed by a strategic flood risk assessment and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.

24.2 Paragraph 181 of the Framework states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Paragraph 182 goes onto say that:

Applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. Sustainable drainage systems provided as part of proposals for major development should:

- a) take account of advice from the Lead Local Flood Authority;
- b) have appropriate proposed minimum operational standards; and

c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.

24.3 Policy DP21 of the Detailed Policies 2014 states that, water will be retained in the natural environment as far as possible. Proposals which seek to restore natural flows in the river systems or re-establish areas of functional floodplain will be supported, particularly where they would provide opportunities for recreation, habitat restoration/enhancement or additional Green Infrastructure provision. *Water Quality, Ecology and Hydromorphology*

24.4 Proposals should avoid damage to Groundwater Source Protection Zones, having regard to the Environment Agency's 'Groundwater Protection: Policy and Practice' guidance or successor documents.

24.5 Development adjacent to, or likely to affect underground or surface water bodies covered by the Water Framework Directive and Thames River Basin Management Plan should, where possible, make improvements to the quality, ecology and hydromorphology of these water bodies. Additionally, such proposals should contribute towards the maintenance or achievement of 'Good Ecological Status' for the affected water bodies. This may take the form of on-site measures or a financial contribution to off-site measures.

24.6 Proposals should seek to secure opportunities to reduce both the cause and impact of flooding; for example, through the use of Green Infrastructure for flood storage and, where necessary, the incorporation of Sustainable Drainage Systems (SuDS) suitable to the scale and type of the development, ensuring the discharge of surface run off is restricted to that of the pre-development site. Consideration should be given as to the future maintenance of any proposed SuDS schemes.

24.7 Development within Flood Risk Zones 2 and 3 or on sites of 1 hectare or greater in Zone 1, and sites at medium or high risk from other sources of flooding as identified by the Council's Strategic Flood Risk Assessment, will only be permitted where:

1. The sequential and, where appropriate, exception tests as detailed in 'Technical Guidance to the National Planning Policy Framework' have been applied and passed and the proposal is a development form compatible with the level of risk;
2. For all sources of flood risk, it can be demonstrated through a site-specific Flood Risk Assessment (FRA)* that the proposal would, where practicable, reduce flood risk both to and from the development or at least be risk neutral; and
3. Appropriate flood resilient and resistant design, and mitigation and adaptation measures are included in order to reduce any level of risk identified through a site-specific FRA to acceptable levels.

* *The FRA should demonstrate how flood risk is to be mitigated, development adapted and, where practicable, risk reduced including the consideration of risks from other sources where appropriate. The content and scope of the FRA should be commensurate with the scale of development and be agreed by the District Council in consultation with the Environment Agency.*

24.8 The site is located within a Flood Risk Zone 1 area and is not considered to be at risk of fluvial flooding, although land to the north of the site is designated as Flood Zone 2 and 3. The Strategic Flood Risk Assessment (SFRA) also

indicates that it is not at risk as a result of climate change. However, EA modelling indicates that there is some risk of surface water flooding at various points throughout the site. The SFRA also indicates that across the site there are varying risks of groundwater flooding, depending upon the geology, with areas of negligible risk but also with zones where there is a risk of groundwater flooding to surface and subsurface assets and there is the possibility of groundwater emerging at the surface locally.

- 24.9 Given its site area (c 58 ha), a site-specific Flood Risk Assessment is required by the NPPF. It is noted that a Flood Risk Assessment and Drainage Strategy has been submitted with the application.
- 24.10 Consultations have been carried out with both the Lead Local Flood Authority and the Environment Agency, and the following comments have been received:
- 24.11 The Lead Local Flood Authority have confirmed that:

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

1. *The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:*
 - a) *Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 56.8 l/s.*
 - b) *Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).*
 - c) *A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.*
 - d) *Details of drainage management responsibilities and maintenance regimes for the drainage system.*
 - e) *Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.*

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

2. *Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.*

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

24.12 The Environment Agency initially indicated that: “*We have assessed this application, and it is covered by our national Flood Risk Standing Advice (FRSA). This means you do not have to consult us directly and can use our standing advice to manage flood risk for this planning application*”. Subsequently they indicated that: “*We do not have any objection to the proposed development subject to ... conditions being attached to any planning permission*”.

24.13 Overall, the proposal is not considered to raise any significant flood risk or drainage issues and would be generally in compliance with the requirements of Policy DP21 of the Tandridge Local Plan and the NPPF subject to the imposition of appropriate conditions as specified by the Environment Agency and the Lead Local Flood Authority.

25.0 Heritage

25.1 Policy DP20 of the Detailed Policies 2014 states, 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 and historic environment. Accordingly:

1. Only where the public benefits of a proposal significantly outweigh the harm to, or loss of a designated heritage asset or its setting, will exceptional planning consent be granted. These benefits will be proportional to the significance of the asset and to the level of harm or loss proposed.
2. Where a proposal is likely to result in substantial harm to, or loss of, a designated heritage asset of the highest significance (i.e. scheduled monuments, grade I and grade II* listed buildings, and grade I and grade II* registered parks and gardens), granting of permission or consent will be wholly exceptional.

25.2 In all cases the applicant will be expected to demonstrate that:

1. All reasonable efforts have been made to either sustain the existing use, find viable alternative uses, or mitigate the extent of the harm to the asset; and
2. Where relevant the works are the minimum necessary to meet other legislative requirements.

25.3 With the granting of permission or consent the Council will require that:

1. The works are sympathetic to the heritage asset and/or its setting in terms of quality of design and layout (scale, form, bulk, height, character and features) and materials (colour and texture); and
2. In the case of a Conservation Area, the development conserves or enhances the character of the area and its setting, including protecting any existing views into or out of the area where appropriate.

25.4 Any proposal or application which is considered likely to affect a County Site of Archaeological Importance, or an Area of High Archaeological Potential (AHAP) or is for a site larger than 0.4 hectares located outside these areas, must be accompanied by an archaeological desk-top assessment. Where the assessment indicates the possibility of significant archaeological remains on the site, or where archaeological deposits are evident below ground or on the surface, further archaeological work will be required. Evidence should be recorded to enhance understanding and where possible material should be preserved in-situ. In cases where the preservation of remains in-situ is not possible, a full archaeological investigation in accordance with a Council approved scheme of work will be required; the results of which should be made available for display at the East Surrey Museum or other suitable agreed location.

25.5 The County Archaeologist was consulted on the proposed development and commented as follows:

The proposed development is above the 0.4ha threshold at which an archaeological Assessment is required under Local Plan policy DP20. Assessment is also a requirement of the NPPF (para 194). The applicant has submitted a Heritage Statement dated October 2023 produced by their consultants Andrew Joseph Associates that states:

Based upon the extent of the previous workings and restoration, it is clear that there is very little or no potential for a direct impact upon archaeology, and this has been scoped out of detailed assessment.

No substantive evidence is presented in the submitted Heritage Statement to support this statement.

In order for me to better determine the degree of disturbance across the site and whether there are areas within it that have not or potentially have not been disturbed by former quarrying and related works, I have referred to the evidence presented in the Heritage Statement submitted with the previous application 2021/1040. That Heritage Statement, dated May 2021 produced by Andrew Joseph Associates, assessed the same red line site boundary. It shows that there are areas within the wider site, including the Proposed Development Area, that are potentially undisturbed. The accumulated information from old maps and aerial photographs showing the known areas of extraction and disturbance was presented in graphic form in Figure 12 of the earlier Heritage Statement and is reproduced below for information. The potentially undisturbed areas are shown in green.

Given the potential for undisturbed Heritage Assets of archaeological significance to be present within areas of the Proposed Development Area, and that the groundworks associated with the development will destroy any such Assets that may be present, there is a need for archaeological mitigation.

In the first instance, mitigation work should comprise the excavation of a number of trial trenches within the areas defined below. This will provide a clearer understanding of the archaeological potential of these areas and the potential for the development to impact any Heritage Assets of archaeological significance that may be present therein.

The evaluation will aim to determine the location, date, condition and significance of any Heritage Assets of archaeological significance that may be present, enabling suitable further mitigation measures to be determined. Should further mitigation be required, it may comprise more detailed excavation of any archaeological Heritage Assets present so as to advance our understanding of their significance before their loss, and/or archaeological monitoring of the development groundworks to record any Heritage Assets of archaeological significance that may be present before they are destroyed. In the event of Heritage Assets of national significance being present, preservation in situ is the prescribed option.

The trial trench evaluation should target the following development areas as defined in the submitted plan SK24 Components Plan.

D1. D4. D5. D6. OS5. and IRC (SW extension only)

As it is unlikely that archaeological assets of national significance requiring preservation in situ will be present, securing the archaeological work as a condition of any planning permission is a reasonable and proportionate response. To ensure the required archaeological work is secured satisfactorily, the following condition is appropriate and should be attached to any planning permission that may be granted:

"No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority."

25.6 The Historic Buildings Officer at Surrey County Council was also consulted and has stated that:

Nutfield is a historic village which sits on top of a Greensand ridge between Betchingley and Reigate. St Peter and St Paul's Church is the oldest building in the village with parts dating back to the early 13th century. The other surviving buildings from this period are nos. 40-44 High Street and The Queen's Head which date from the 16th to 17th centuries. There is no evidence to suggest this was a planned settlement such as Betchingley and Limpsfield. To the further north is Nutfield Marsh constructed around common land.

From the 18th century onward, the area was quarried for Fuller's earth. This activity along with the arrival of the railway in the 19th century, led to further development in the village with a number of new houses constructed, identifiable by their slate roofs. Well House on the High Street belongs to this period of development and included a Folly Tower which is now in the grounds of Redwood. There are two heritage assets affected by this scheme which are the Folly Tower at Redwood (Grade II) and St Peter and St Paul's Church (Grade II). There is no impact on the heritage assets at Nutfield Marsh from this revised scheme.*

St Peter and St Paul's Church is a Grade II listed building just to the north of Nutfield Village on Church Hill set on a raised embankment. The church has high historical and archaeological significance as evidence of the early history of Nutfield Village and the development of the surrounding area. The building also has high aesthetic value as an example of a medieval Gothic church which has subsequently been extended over the years.*

The church has a predominantly rural setting with views toward open fields and woodland. Views toward the development site consist not only of trees but also glimpses of a clearing (and the development site) which enhance the rural character of the church and its churchyard. These views enhance the ability to interpret the church as part of a historic village settlement. I consider this setting contributes to the significance of the listed building.

The Folly Tower is to the north of the High Street and to the south of the Green Park East development. Built in 1858, its architectural significance lies in both its dramatic appearance as a tower but also its function designed to have views over its surroundings. The historic interest of the tower is derived from the fashion to create folly buildings in the gardens of moderate to large houses in the 18th and 19th centuries often using local materials, which in this case is Reigate stone.

Historically the setting of the tower would have been formed by Well House and views of the surrounding natural landscape. These views would have formed a highly important part of its function when it was first constructed. Since its construction the surroundings have been redeveloped and most of these views now comprise of modern housing. The view to the north (and the development site) is the least disturbed of these views and consists of a belt of trees. I consider this still makes a contribution to the significance of the building although such a contribution is small.

Owing to the topography of both the church and the Green Park East development site, there will be intervisibility between the development and the church. This is shown clearly within the Landscape and Visual Impact Assessment in Figure 32. While these views will be partially screened by the existing trees, they will not be sufficient to entirely remove views, particularly during the winter months or at night from lighting in the application site. There will also likely be views from the church tower. Ultimately, the residential appearance of the site will detract from the rural setting of the church and cause harm. As the views from the churchyard are limited, I consider such harm to be low but still a material consideration.

The proposal will see the loss of tree cover to the north of The Folly Tower and will give the tower direct views of Green Park East and the Integrated Retirement Community. Owing to the loss of the remainder of the building's landscape setting, I consider this to result in harm. While views are an important part of the Folly Tower's function, I note that much of the surroundings have already been developed and the building's original context has been largely lost. As the views only make a small contribution to the significance of the building, I consider the harm from the proposal to be a low form of less than substantial harm.

I have assessed the proposal in accordance with paragraphs 195 (now 208) and 199 (now 212) of the NPPF. There will be a low degree of less than substantial harm under paragraph 202 (now 215) of the NPPF to The Folly

Tower and to St Peter and St Paul's Church owing to the reduction of their rural and landscape setting which informs the significance of each building. Great weight must be applied to this harm in line with paragraph 199 (now 212) of the NPPF and even greater weight as the church is Grade II listed. There are no heritage specific public benefits from this scheme, and I cannot suggest any further mitigation at this point. Owing to low level of harm, I am not of the opinion that this are sufficient heritage grounds for refusing the application by itself, but the harm will need to be taken into account as part of a wider planning balance.*

25.7 The LPA, having assessed the proposal in accordance with policies 208 and 212 of the NPPF find that the application will result in a low level of less than substantial to St Peter and St Paul's Church and to The Folly Tower under the terms of paragraph 215 of the NPPF. There are no heritage benefits as part of the development, and this harm will need to be considered as part of a planning balance. Given the other conclusions set out in this report it is not considered that any benefits would outweigh the harm to the setting of the listed buildings, the proposal would therefore be contrary to the provisions of the NPPF and Policy DP20 of the Detailed Policies 2014.

26.0 Impacts upon Aviation

26.1 Paragraph 111 of the NPPF 2024 states under subsection f) that planning policies should recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government's General Aviation Strategy

26.2 Policy CSP16 of the Core Strategy 2008 states, the Council will seek to minimise the impact of Gatwick Airport by working with BAA Gatwick, Crawley Borough Council and adjoining local authorities on the development of the airport up to the projected 45 million passengers per annum within the agreed limits of a single runway/two terminal airport. New off-airport parking and extensions to existing sites will be considered in the light of Green Belt policy and the need to minimise the use of the private car to travel to the airport.

26.3 The site is located within the Safeguarding Areas for Redhill Aerodrome, Biggin Hill Airport and London Gatwick Airport. All bodies have been consulted regarding this application though only Gatwick Airport has responded to the LPA's consultation, as summarised below:

We note that the design of the proposed water bodies on the site have been amended since the previous application, generally they are smaller with more retained trees. There are numerous smaller water bodies located on the edge of grassland and woodland with partial scrub planting. This will help to reduce the open aspect of the water.

The proposals should result in a mosaic of habitats that are good for biodiversity whilst not resulting in an increase in exploitable habitats for birds hazardous to aviation.

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the condition detailed below:

Submission of Renewable Energy Scheme

No development shall take place until full details of renewable energy schemes have been submitted to and approved in writing by the Local Planning Authority,

No subsequent alterations to the approved renewable energy scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure the development does not endanger the safe movement of aircraft or the safe operation of London Gatwick through interference with communication, navigation and surveillance equipment or glint and glare issues.

26.4 No objections are therefore raised with aerodrome safeguarding. If minded to approve the condition can be imposed as requested.

27.0 Highways implications and safety

27.1 Policy CSP12 of the Core Strategy 2008 states that when managing travel demand the Council will require new development to:

- Make improvements, where appropriate, to the existing infrastructure network, including road and rail, facilities for bus users, pedestrians and cyclists and those with reduced mobility.
- Have regard to adopted highway design standards and vehicle and other parking standards.

27.2 The Council will support the enhancement and better management of the regional transport spokes; M23/A23 corridor, M25/A25/Redhill to Tonbridge line corridor and the A264, subject to suitable environmental safeguards.

27.3 Policy DP5 of the Detailed Policies 2014 relates to highway safety and design and states that, development will be permitted subject to meeting the requirements of all other appropriate Development Plan policies and where the proposal:

1. Complies with the relevant Highway Authority's and any other highways design guidance;
2. Does not unnecessarily impede the free flow of traffic on the existing network or create hazards to that traffic and other road users;
3. Retains or enhances existing footpaths and cycleway links;
4. Provides safe and suitable access to the site which is achievable by all and promotes access by public transport, foot and bicycle to nearby residential, commercial, retail, educational, leisure and recreational areas where appropriate; and
5. Fully funds where appropriate or contributes towards the costs of any measures required to cost effectively mitigate the significant impacts arising from the development.

27.4 In accordance with the Council's Local Validation Requirements and national guidance, all development proposals that generate significant amounts of movement should be supported by a Travel Plan and either a Transport Statement or Transport Assessment (proportionate to the scale of the proposed

scheme and extent of the transport implications), both of which should be submitted alongside the planning application.

27.5 National Highways and the County Highway Authority were consulted on the application.

27.6 National Highways confirmed that:

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

The proposals include a residential-led mixed use site, comprising 166 residential dwellings (C3); 41 later living dwellings (C2); 70-bed care home (2,000sqm) and community uses under Use Classes E(e)/F2. The proposals will redevelop the former Laporte Works Site, which included an operational mineral extraction and processing facility before it was decommissioned in 1997.

A similar outline planning application (Ref: TA/2021/1040) for the site was refused by Tandridge District Council (TDC) in September 2021, with the reasons including the site being in an unsustainable location, in addition to insufficient information provided in relation to the development's capacity and safety impact on the adjoining highway network.

We have undertaken a review of the Transport Assessment (TA) dated October 2023, as prepared by Vectos on behalf of the applicant. The TA derives trip rates from TRICS, with robust trip rates used for the later living dwellings. The proposals are predicted to generate 119 two-way trips in the AM peak hour and 101 two-way trips in the PM peak hour. This excludes the community land uses, which likely only generate localised trips. Trip distribution results suggest 70% of trips would travel to and from Redhill, as the closest urban centre to the site. Crawley, Croydon and Sevenoaks also receive approximately 10% each of the total trip generation results.

The closest SRN junction to the site is M25 J7, although this is not a junction that can be accessed from the local highway network. This junction solely forms a connection between the M25 and M23. The closest accessible SRN junction is M25 J8, which is 4.9 miles from the site, followed by M23 J9 and J9a, which are 7.7 miles away. We accept that the proposals would not have a severe / significant impact on the operation and safety of the SRN.

We are satisfied that the development will not materially affect the safety, reliability and/or operation of the strategic road network (the tests set out in DfT Circular 01/2022, and MHCLG NPPF 2023 paragraphs 110-113) in this location and its vicinity.

As such, they have raised no objection to the proposal.

27.7 Following detailed discussions with the applicant, the County Highway Authority determined earlier this year to drop their initial objections to the application.

27.8 Specifically, they have stated:

The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who having assessed the application on safety, capacity and policy grounds, including the additional materials submitted up to the December 2024 'Comprehensive Transport Update' note, recommends the following conditions and contributions be imposed in any permission granted:

S106 Contributions

1. *A contribution towards Digital Demand Responsive Transport and mainstream bus services in the local area, totalling £4,000,000.*
2. *Travel Plan Monitoring Fee of £6,150.*
3. *Funding for the delivery and advertisement of Traffic Regulation Order changes associated with the offsite highway measures (£3,000).*

Conditions

1. *No part of the development shall be first occupied unless and until the proposed access to the A25 has been constructed and provided with a continuous pedestrian footway crossing and vehicular visibility zones in accordance with the approved plans (drawing number VD22815-VEC-HGN-NUT-SK-SH-005) and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.*
2. *Prior to the first occupation of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide". The approved Travel Plan shall be implemented on the first occupation, and for each and every subsequent occupation of the development, thereafter the Travel Plan shall be maintained and developed to the satisfaction of the Local Planning Authority.*
3. *The development hereby approved shall not be first occupied unless and until a scheme of highway improvements have been delivered to include the following highway measures. The final details of all measures to be determined through the Highway Authority's Section 278 Application process:*
 - a. *A controlled pedestrian crossing on the A25, to the west of the junction with Cooper's Hill Road and Church Hil, in general accordance with drawing number 226799/PD15 Rev A.*
 - b. *A controlled pedestrian crossing on the A25, to the east of the junction with Mid Street, in general accordance with drawing number 226799/PD06 Rev A.*
 - c. *A pedestrian crossing on the A25 to the west of the development, in general accordance with drawing reference 226799/PD13 Rev A.*
 - d. *Alterations to the A25 junction with Mid Street to provide improved capacity on the Mid Street arm in general accordance with drawing reference 226799/PD11.*

e. Extension of the existing 30mph speed limit to the west of the site access in general accordance with drawing reference VD22815-VEC-HGN-NUY-SK-CH-005, including any traffic calming measures as required and identified through the Highway Authority's S278 Technical Approvals and Road Safety Auditing process. In the event that the statutory processes required to deliver the Traffic Regulation Orders associated with this item, the Applicant shall work with the Highway Authority in order to identify a scheme of suitable alternative road safety improvements.

4. The development hereby approved shall not be first occupied unless and until a continuous, accessible cycle route with appropriate lighting had been provided between the site and Redhill in general accordance with the proposed scheme (detailed in document reference 24-0342 NUT) and conforming with the standards set out in Local Transport Note 1/20.

5. The development hereby approved shall not be first occupied unless and until facilities for high quality, secure, lit and covered parking of bicycles and the provision of a charging point with timer for e-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

6. The development hereby approved shall not be first occupied unless and until the internal site roads and footways have been laid out and space has been provided within the site for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, compliant with the Healthy Streets for Surrey Guidance. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

7. No development shall commence until a Construction Transport Management Plan, to include details of the following items has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development:

a. Parking for vehicles of site personnel, operatives and visitors.

b. Loading and unloading of plant and materials.

c. Storage of plant and materials.

d. Programme of works (including measures for traffic management).

e. Provision of boundary hoarding behind any visibility zones.

f. HGV deliveries and hours of operation.

g. Vehicle routing.

h. Measures to prevent the deposit of materials on the highway.

i. Before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused.

j. On-site turning for construction vehicles

Reasons

The above conditions 1, 3, 4, 6 and 7 are required to ensure that the proposed development would not result in unacceptable impacts to the safe operation of the public highway, with reference to the National Planning Policy Framework 2024 (NPPF) Paragraph 116, the Tandridge Local Plan Policy DP5 part 2 and the Surrey Local Transport Plan 4 (LTP4).

The above contributions and conditions 2, 3, 4, 5 and 6 are required in order that the development provides appropriate facilities to enable and encourage sustainable modes of transport, gives priority to pedestrian and cycle movements, facilitates access to high quality public transport and addressed the needs of people with disabilities and reduced mobility in relation to all modes of transport. This is with reference to the NPPF 2024, in particular paragraph 117, the Tandridge Local Plan Policy DP5 parts 3, 4 and 5, and the Surrey LTP4.

Informatics

The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. In instances where the applicant is not the Highway Authority the applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see:

<http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/traffic-management-permit-scheme>

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see:

www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice

The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

Design standards for the layout and construction of access roads and junctions, including the provision of visibility zones, shall be in accordance with the requirements of the County Highway Authority.

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands, and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2024. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.

The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.

It is the responsibility of the developer to provide e-bike charging points with socket timers to prevent them constantly drawing a current over night or for longer than required. Signage should be considered regarding damaged or shock impacted batteries, indicating that these should not be used/charged. The design of communal bike areas should consider fire spread and there should be detection in areas where charging takes place. With regard to an e-bike socket in a domestic dwelling, the residence should have detection, and an official e-bike charger should be used. Guidance on detection can be found in BS 5839-6 for fire detection and fire alarm systems in both new and existing domestic premises.

Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.

Note to Planning Officer

This response from the County Highways Authority (CHA) follows the additional information and updated proposals submitted by the Applicant following our previous response dated 18th November 2024.

The further information from the Applicant sought to demonstrate that a private, dedicated, in perpetuity shuttle bus service could be provided in order that the site would provide sufficient connectivity for sustainable modes of transport and to mitigate the anticipated impacts of the development on highway capacity.

Following detailed review of the submitted information and internal consultation with SCC Passenger Transport and with the LPA, the CHA's position remains that the proposed mechanisms for funding the proposed shuttle bus service would not provide sufficient confidence that the measure would provide a benefit in perpetuity. As such, the provision of a private shuttle bus service would not overcome the existing objection from the CHA.

Given the level of funding (£4 million) that the Applicant has proposed to put behind public transport service improvements, it is considered that this level of funding could instead be provided towards the Council's Digital Demand Responsive Transport scheme (<https://www.surreycc.gov.uk/roads-and-transport/buses-and-other-transport/community-transport/surrey-connect>) and towards existing mainline bus services.

If this figure is provided as a S106 contribution, as recommended, towards DDRT and public transport services, along with the other improvements listed above, the CHA would no longer be in a position to sustain the previous objection on highway sustainability and capacity grounds.

The above measures would also reduce the severity of impacts on highway capacity to an acceptable degree and it is acknowledged that the appropriate method for mitigating impacts on highway capacity in the current policy context is through enhanced public transport measures.

It remains the case that this is not an ideal location for the type and scale of development proposed in transport terms, particularly with the diffuse nature of the proposed site layout, however if the above measures are secured then there would be some material benefits to the local and wider transport network due to the highways and public transport improvements.

Providing the funding proposed towards public transport facilities as a contribution towards the wider DDRT scheme and existing bus services not only represents a far more robust mechanism to deliver secure long-term facilities but also has the benefit of providing improved infrastructure for existing residents.

27.9 Whilst the views of the County Highway Authority are noted the local planning authority still has some concerns over the degree of reliance on the County Council's own DDRT scheme to secure the sustainability of the development proposal in accessibility terms. Even when the services are running it is considered that there is no certainty over their frequency and quality. In the Council's view, DDRT services would have to have guaranteed minimum standards before they could be considered to amount to a genuine choice of transport mode, even in the rural context of the appeal site. The service would only be available on a pre-booked basis which can only be done in a relatively limited period before the date of proposed travel and there is no guarantee that a service would be available as the buses may have already been booked to provide services elsewhere in the area covered by the scheme. The service could not be booked, for example, for an extended period for a daily commute to a place of employment or study or to a transport hub with any degree of certainty given the limited period in advance that the scheme can be booked. It is for those reasons that the DDRT service should be considered as an 'add on' to supplement existing public transport services but should not be considered to constitute a public transport network on its own.

27.10 The scheme was recently considered in the context of a small housing development at Orchid Cottage Farm, Red Lane, Limpsfield, Surrey RH8 0RT, which was determined on Appeal on 4th September 2025 (APP/M3645/W/25/3366613). In this case the Inspector stated that:

"Although the appeal site comprises previously developed land and is immediately adjacent to Oxted, a Category 1 Settlement, the parties agree that

it is outside of the built-up area and is therefore located within the countryside. Oxted comprises a good range of services and facilities required for day-to-day living. In addition, there is a local railway station and numerous bus services.

Notwithstanding the above, the appeal site is located some distance from the key services and facilities located within the town. I note that the town would be accessible via the adjacent public right of way (PRoW) which leads to the Hollies Estate, however the walking and cycling distances to many services and facilities would be such that future occupiers would look to utilise private modes of transportation for at least a considerable portion of their day-to-day journeys. I acknowledge the on-demand bus service could stop on Red Lane, however there are limitations to the service.” (My emphasis). “Therefore, whilst there are a variety of modes of transport available, I do not consider that they would be regularly utilised or that the distance to travel to services and facilities would be minimised.

Consequently, I conclude that the appeal site would not be a suitable location for the proposed development with particular regard to transport options and the accessibility of services and facilities. The proposal would conflict with Policy CSP1 of the TDCS in so far as it requires development to be located within settlements with a variety of sustainable transport options and access to services and facilities.

Similarly, there would be conflict with the National Planning Policy Framework (the Framework) where it requires sustainable transport modes to be prioritised and that services and facilities are accessible.”

- 27.11 In terms of public transport accessibility, the nearest train station Nutfield which is situated on the Redhill to Tonbridge line. The station is more than a 12 minutes' walk away from the entrance to the site from the A25, which is slightly over the 10 minutes' walk people are generally willing to make to train stations. However, the route to this station is undulating and steep in some areas, narrow along other sections, in particular, on Mid Street between the A25 and Sandy Lane. There is limited scope for improvement on some sections of this route due to the landscape and topography. The routes are therefore not considered to be attractive to residents for walking to the station to access train services.
- 27.12 With regard to bus services, the nearest bus stops to the site are located on the A25 outside of and opposite the Memorial Hall, which are served by the 400, 410, 410A and 612 services, and at the top end of Mid Street which are served by the 315 service. The 400 bus service runs between Caterham and East Grinstead, the 410 runs between Redhill Bus Station and Dormansland, the 410A runs between Redhill Bus Station and Lingfield and the 612 runs between Smallfield and Oxted School.
- 27.13 Overall, whilst it is acknowledged that the proposed development, in addition to the bus service enhancements, would result in some improvements in accessibility terms through the provision of footpath improvements, the rebuilding of part of National Cycle Network Route 21, the provision of a new pedestrian crossing and two new signalised crossings to the A25 and a reduction in the speed limit along the A25 by the site entrance to 30 mph, all of which are welcomed, it is not considered that these measures would make the development sustainable.
- 27.14 With reference to the Government's recently published Connectivity Tool map it can be established that the site has an overall connectivity score, excluding

driving, of around 46 to 49. In comparison, the connectivity score for driving is 83. The overall scores are particularly low for access to education and health facilities (at 33) when compared to the scores for driving (at 70). For shopping the overall score is 43 compared to 84 for driving. For workplaces the overall score is 55 compared to 80 for driving.

- 27.15 In terms of the public transport connectivity scores indicated on the Government's Connectivity Tool map these vary from 45 for health facilities, through 50 for education, 52 for shopping, up to 58 for workplaces.
- 27.16 In summary, for the reasons given, the site is not considered to be in a sustainable location in accessibility terms where walking, cycling or the use of public transport to access local services and facilities, would be a natural choice for most of the residents. This would encourage reliance on the private car for a large proportion of trips. This would be contrary to current government and local policy, advice and guidance.

28.0 Other matters

- 28.1 Renewable energy – Any reserved matters would be expected to demonstrate that the proposed development is capable of providing a 20% reduction of carbon dioxide on site and as such would comply with Policies CSP14 of the Core Strategy 2008. As this application is for outline consent only in relation to access such details would be secured at the reserved matters stage.
- 28.2 Public rights of way - The following comments have been received from the Public Rights of Way Officer at SCC:

We have no objections but would make the following comments:

The site contains Nutfield Public Footpath Nos. 192, 195, 568, 571, 572, 621, 622 & 624. The applicant intends to upgrade parts of the network to allow cycling. We would need to understand what legal mechanism is to be used to facilitate this prior to any changes being made. Additionally, we would want to see design details of any proposals to allow full comment. We would expect the developer to fund any upgrades and would seek a commuted sum for future maintenance. The expectation would be that this would be included in any Highways s278 agreement.

General Comments:

- To ensure public safety while work is underway, a temporary closure of the rights of way may be necessary. A minimum of 3 weeks' notice must be given and there is a charge. Please contact the Countryside Access Officer.
- Safe public access must be always maintained along the Public Rights of Way if no temporary closure is in place.
- There are to be no obstructions on the Public Right of Way at any time, this is to include vehicles, plant, scaffolding or the temporary storage of materials and/or chemicals.
- There must be no encroachment onto the legal width of the Public Rights of Way.

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).

28.3 As such matters are capable of being dealt with at the reserved matters stage as part of the hard and soft landscaping details the LPA do not raise concerns in the respect as part of the outline application.

29.0 Very Special Circumstances

29.1 The applicant has indicated that should the proposed development be considered to result in inappropriate development within the Green Belt they would want the following 'very special circumstances' to be taken into account in the determination of the application.

Social Benefits:

- Provision of market housing
- Provision of affordable housing
- Care provision
- Self-build housing provision
- Compliance with the 'Golden Rules'
- Employment
- Flexible floorspace element

Environmental Benefits:

- Biodiversity net gain
- Tree retention and planting
- Sustainability
- Extensive ground investigations
- Drainage and water management

Economic Benefits:

- Construction and operational revenue
- Council tax and business rates
- Community Infrastructure Levy
- Other financial contributions

29.2 The Council accepts that it doesn't have a 5-year housing land supply and has an acute affordable housing need across the district. However, while attaching significant weight the provision of 207 it is not considered that such need would outweigh the permanent harm to the Green Belt is both spatial and visual terms, particularly given that it is considered that the proposal would not result in a sustainable development. However, given the lack of a 5-year housing land supply it is recognised that significant weight can be attributed to the provision of residential dwellings and affordable housing.

29.3 In terms of care provision, it is not considered that it has been demonstrated that this type and level of provision would meet a demonstrable need in the district and it is unclear from the details provided how this element of the proposal would operate and what types and level of care would be provided and how this would reflect the specific nature of need in the district. This element can therefore only be afforded limited weight.

29.4 Turning to self-build housing provision the Council's records indicate that we currently have 21 people who are actively looking for a self-build plot in Tandridge at the present time. It is unclear from our evidence what the applicant's 1,421 or their 22% figures relate to as neither seem to correlate with our data. Notwithstanding, the 8 plots that the application in this case is proposing would contribute to addressing 38% of the people on our list. Whilst this could have some weight, whether it is sufficient to amount to VSC is more arguable as there will be other harms and benefits and harms that would need to be considered in the round. It should also be noted that we are due to contact the 21 people on the register to see if they are still actively looking and it may well be that they are not as it has been a while since our last update.

29.5 In respect of compliance with the 'Golden Rules' set out in paragraph 156 of the NPPF this is a requirement laid down in the Framework to enable a development to be considered not inappropriate in Green Belt terms. As detailed above, the proposed development is not considered to meet the 'Golden Rules' in respect of the requirement for the proposal to provide the necessary improvements to local and national infrastructure. This issue can therefore be given no weight as a very special circumstance.

29.6 In terms of 'employment' the applicant has indicated that: "The construction phase will generate an average of 60 direct and indirect additional full-time employment (FTE) opportunities. The operation phase is anticipated to generate a further 125 direct and indirect additional jobs generated by the IRC in a range of roles and skill types. A further 45 jobs are anticipated to be supported within the local retail and leisure industry because of future resident expenditure." Whilst this is noted, it is considered to be currently unclear whether any specific operators have been identified for any of the potential employment generating elements of the development and therefore the employment levels indicated can only be considered to be speculative and in any event this issue is considered to be more of an economic benefit than a social one. Only limited weight can therefore be given to this factor at this stage in the absence of any definitive proposals.

29.7 With the flexible floorspace element of the proposal it has again not been demonstrated whether there is actually any demand for the floorspace being put forward and no specific operators appear to have been secured to provide services from these categories of use. Again, only limited weight can be given to this speculative provision.

29.8 With biodiversity net gain any new development would be expected to deliver such a benefit. The site is a restored minerals working site which was required to meet a certain level of biodiversity improvements as part of the approved restoration programme.

29.9 With reference to tree retention and planting the site is a restored minerals site that has been subject to appropriate tree planting in accordance with the approved restoration programme. The application proposal does involve the removal of a significant number of trees to facilitate the development proposal. It is a normal policy requirement to provide appropriate replacement planting when development proposals involve tree removal and as such this matter cannot be afforded more than limited weight as a very special circumstance.

29.10 In terms of sustainability as noted above the development is not considered to represent a sustainable development of the site and as such this factor cannot be afforded any weight in the opinion of the local planning authority. The

application site is not in a sustainable location and the measures proposed to be put in place to facilitate access to goods and services are mitigation and are not considered to be sufficient to make the development sustainable.

- 29.11 With respect to the extensive ground investigations which have been carried out these are again a normal requirement in terms of demonstrating whether a site is safe in terms of contamination for any proposed development. This matter therefore attracts no weight as a very special circumstance.
- 29.12 Similarly, the provision of appropriate drainage and water management is a standard requirement for any large development proposal and again this matter cannot be afforded any weight.
- 29.13 Construction and operational revenue would accrue from any large housing development and again would not represent a very special circumstance.
- 29.14 Council tax and business rates would also result from any new development containing residential and commercial floorspace and is not a very special circumstance that would arise from the development.
- 29.15 All developments that meet the Council's requirements in terms of the payment of Community Infrastructure Levy would be required to make the appropriate contribution and this is not a very special circumstance.
- 29.16 The other financial contributions put forward by the applicant, namely for educational provision and to meet the impact of the development on health care service provision are noted but again such payments would be sought from any development proposal under the terms of section 106 of the Act if they were considered necessary to make an otherwise acceptable development appropriate, given local circumstances. Again, this is not a very special circumstance.
- 29.17 Having considered the applicants grounds for very special circumstances it has been concluded that whilst weight can be attributed to the provision of market and affordable housing provision this weight has to be tempered by the unsustainable nature of the development proposal overall and no to limited weight can be attached to the applicant's other grounds put forward either taken individually or collectively. The provision of market and affordable housing in this unsustainable form would not clearly outweigh the real and demonstrable harm that has been identified above and for this reason the LPA are of the opinion that VSCs have not been demonstrated.

30.0 Planning balance and Conclusion

- 30.1 Officers are of the view that the proposal would result in inappropriate development in the Green Belt in which the applicant has failed to demonstrate 'very special circumstances'. The proposed development would be located adjoining the Tier 4 settlement of Nutfield which is categorised as a 'limited and unserviced settlement' in the Council's Settlement Hierarchy documents, and which was identified in the Settlement Hierarchy Addendum, published in 2018, as having only 2 community facilities and 1 recreational facility, with no schools, doctors, dentists or retail facilities and is not therefore considered to constitute a sustainable location for the scale of development proposed.
- 30.2 Whilst it is acknowledged that the development proposal has attempted to make the location more sustainable, principally through the provision of

improved transport links to Redhill and the range of goods and services that large urban area offers, this is considered to represent a tacit admission of Nutfield's lack of facilities and inherent unsustainability. The reality, however, is considered to be that whilst some residents may use the proposed sustainable transport measures the vast majority will not and will be accessing services, facilities and jobs using private car.

- 30.3 It is also important to consider that sustainable development means significantly more than simply transport measures. It is acknowledged that there is a particular focus on transport within Paragraph 155 (c), but nowhere does it state that other aspects of sustainability should not be considered. In this regard. It is noted that the application proposal does include a limited area of potential Use Class E (e) and F2 floorspace, no substantive or definitive improvements are proposed to local schools, shops, employment opportunities and doctor / dental facilities all of which will remain mostly accessed by the least sustainable mode of transport, the private car.
- 30.4 Overall, therefore, it is concluded that the proposed transport measures, whilst delivering some benefits will not be anywhere near sufficient to change Nutfield's overall status from a 'limited and un-serviced settlement' location to one that can genuinely be deemed as sustainable. The size of the proposal is clearly disproportionate to the size and status of Nutfield and would result in it becoming a commuter and dormitory development that would only reduce its sustainability credentials further in the longer term.
- 30.5 For the reasons set out, it has not been demonstrated that this unsustainable site can be made sustainable to comply with the requirements of Paragraph 155 (c).
- 30.6 The proposal is also considered to be likely to result in less than substantial harm to designated heritage assets. There would be two heritage assets affected by this scheme which are the Folly Tower at Redwood (Grade II) and St Peter and St Paul's Church (Grade II*). Whilst the impact would be at the lower end of less than substantial harm it is still a material consideration and should be given great weight in line with paragraph 212 of the NPPF and even greater weight as the church is Grade II* listed.
- 30.7 On balance, it is concluded that despite the acknowledged benefits of the scheme, principally relating to the provision of market housing and affordable housing, and other associated benefits, the proposal would represent inappropriate development and would not accord with the NPPF as a whole and the benefits of the development would not outweigh the harm to the Green Belt due to the unsustainable location of the site and the impact on openness due to encroachment into the open countryside. Refusal is, therefore, recommended.
- 30.8 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 paragraph 232 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.

30.9 All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

RECOMMENDATION:

REFUSE

1. The proposed development would constitute inappropriate development in the Green Belt causing significant harm to the openness and harm to the visual amenities of the Green Belt. The proposal would not comply with the requirements of paragraphs 155 and 156 of the National Planning Policy Framework (2024) as the development would not be in a sustainable location and necessary improvements would not be made to local infrastructure to cater for the needs of the occupiers of the new development. No very special circumstances exist, either individually or cumulatively, to clearly outweigh the harm by reasons of inappropriateness and other identified harm. As such, the proposal is contrary to the provisions of Policies DP10 and DP13 of the Tandridge Local Plan Part 2: Detailed Policies and the provisions of the National Planning Policy Framework (2024) as a whole.
2. The proposed development would result in less than substantial harm to the heritage significance of St Peter and St Paul's Church and the Folly at Redwood, as defined in paragraph 215 of the NPPF. No heritage or public benefits have been demonstrated as part of this application to outweigh such harm given the unsustainable location of the proposed development. The proposal would therefore be contrary to the provisions Policy DP20 of the Tandridge District Local Plan: Part 2 - Detailed Policies (2014) and the provisions of the National Planning Policy Framework 2024

Informatics

1. The development has been assessed against Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP4, CSP7, CSP8, CSP11, CSP12, CSP13, CSP14, CSP16, CSP17, CSP18, CSP19, CSP21, CSP22, Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP4, DP5, DP7, DP9, DP10, DP13, DP18, DP19, DP20, DP21, DP22, Surrey Minerals Plan 2011 Core Strategy – Policies MC1, MC6, MC7, MC8, Surrey Minerals Plan 2011 Primary Aggregates DPD – Policies MA1, MA3, and material considerations. It has been concluded that the development would constitute inappropriate development in the Green Belt and that there are no very special circumstances that would outweigh that harm.
2. This decision relates to drawings numbered PL 01 (Site Location Plan), PL 02 (Land Use), PL 03 (Access and Movement), PL 04 (Green and Blue Infrastructure) and VD22815 VEC HGN NUT SK CH 005 (Nutfield Green Park Copenhagen Crossing Style Junction).

	Signed	Date
Case Officer	PL	02.10.2025
Checked ENF		
Final Check	PB	03.10.2025