3 September 2019

Tandridge District Local Plan (“TDLP”) – Star Fields (HSG12) Site Allocation - land at the Old Cottage, Station Road, Lingfield

Dear Mr Banks

I am writing on behalf of the Star Fields Action Group in response to the publication by the Planning Inspector of his Matters, Issues and Questions. We have previously presented evidence to the Inspector - this letter adds to that evidence.

Matter 1: procedural/legal requirements. 1.7 Community involvement.

We have previously submitted evidence about the failure of Tandridge District Council (TDC) to consult over a major and sensitive change to the draft plan as it affected Lingfield.

Our understanding is that TDC Officers will seek to argue that the inclusion of the site in the 2016 Housing and Economic Land Availability Assessment satisfied the legal requirement to consult local people and that they were under no legal requirement to do more. In reality, TDC indicated in that consultation that the site was unsuitable and would not be considered - people responding to the consultation would understandably have taken the view that there was little need to comment on HSG12 as TDC had ruled it out of consideration. They would also have assumed that, in the event of a change of this magnitude, TDC would, at a minimum, have advised the local parish council and others of it. Whatever the legal niceties, the reality is that local people were steered away from commenting on the site by TDC indicating that it had been ruled out.

At a meeting on 28 June 2018 between representatives of the Lingfield Neighbourhood Plan and Sarah Thompson, Head of Strategic Planning at TDC, accepted that Star Fields had been included at a late stage and was, in effect a new site: accordingly, it should have been the subject of consultation (minutes of that meeting are attached). TDC have commented that "they could not consult on every change" - this demonstrates a clear lack of understanding by TDC of the significance of the site in Lingfield. This was not just a minor, routine amendment to the Plan: it was a substantial change for our community with an impact running well beyond the site itself. Had TDC carried out properly its duty to engage constructively with the community in Lingfield, it would have understood the potential impact on Lingfield of the site and would not have come to the judgement that HSG12 should be included. This failure alone renders the inclusion of Star Fields in the Plan legally non-compliant and unsound.
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It is our view, in the light of discussions with TDC both before and after the recent local elections, that the Council now recognises that it failed to carry out a proper consultation in relation to the above site and that, had it done so, it would not have included Star Fields as a potential development site in the Local Plan. It grossly misjudged the value that people in Lingfield placed upon Star Fields and opposition to the inclusion of this site in its Plan - this is evidenced by the large number of responses to the 2018 consultation objecting to the inclusion of HSG12 in the Local Plan. Both the previous Leader of TDC and the current Chairman of Planning Policy have said that they now recognise the strength of public opposition to this site and that they would be willing to support an alternative site in Lingfield providing equivalent numbers of dwellings.

1.2 The Sustainability Appraisal for HSG12 is inadequate. Plans for the site show the creation of a very small 'pocket park' adjacent to the footpath, presumably intended by the developers as a tiny acknowledgement of the damage they would do to Lingfield by their plans. It represents, in reality, no compensation at all for the substantial loss of amenity that would affect everybody using the footpath by building on the fields surrounding it. Ironically before the erection of fencing by the developer, the fields had been extensively used as a green space by walkers.

1.4 The Sustainability Appraisal takes no account of reasonable alternatives as assessed by the Lingfield Neighbourhood Plan. It shows the Racecourse site (LIN012) rejected for reasons including “close proximity to Conservation Area [that] may affect setting of Listed buildings”. As we detail elsewhere, the HSG12 site links the Grade I listed church with Grade II* New Place and provides the setting for the Conservation Area. Neither these or the numerous other Listed Heritage Assets are mentioned. Were development to take place on this site, the views that are key to the Conservation Area would be lost. Moreover, were the development to take place, the argument used to reject the Racecourse site would in turn fall - the Council’s own arguments are inconsistent.

Matter 6.58: release of land from Green Belt.

Much of the land identified in the Lingfield area for potential development lies within the Green Belt. In the case of Star Fields, the site is not only Green Belt but also predominantly within a Conservation Area. The Conservation Area links 17th century Grade II* listed New Place with Lingfield Old Town in which there are 11 listed buildings, including the Grade I listed Church and Grade I listed Pollard House and Cottage. The site is an important setting for this medieval heritage area and provides views across it.

In the Exceptional Circumstances appraisal, the Local Plan states that the site: "is physically and visually well contained by built form on 3 sides". This is untrue. The site is in fact surrounded by mature back gardens, hedges, a number of mature trees, a small orchard and the wall of Grade II* New Place. The only built forms visible at most points are New Place, the spire of the Grade I church and The Star Inn.

Heritage experts should have been consulted by TDC over any proposal to withdraw land from a Conservation Area but there has been no such consultation.

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Given the importance of the site for the character of Lingfield, the inaccurate description of the site and the failure of TDC to consult either local bodies and people or heritage experts, the exceptional circumstances for release of land from the Green Belt have not been established and we believe this aspect of the Plan is rendered unsound.

Matter 6.60 and 6.61: Heritage, character and appearance.

We have previously submitted evidence as to the impact on Lingfield as a rural community, were this site to be developed. TDC itself ruled out this site in the HELAA 2017-18 on the grounds of the damage it would do to the Conservation Area - nothing about the site has changed.

In their Exceptional Reasons Document, TDC has produced a flawed assessment of the impact on the heritage assets. It appears that the Landscape Sensitivity scoring has been deliberately skewed to justify the inclusion of the site in the Plan and to the disadvantage of other potential sites. For example, the loss of amenity for people walking to and from the station is ranked "Moderate" - in reality, people would, in the event of development, be walking through a housing estate and the impact on their experience would clearly be substantial.

A further example: the potential for mitigation of the effect of development on the site is judged to be high (and thus, on the scoring process adopted, to warrant a low score in the overall assessment), whereas any development on the site - certainly on the scale envisaged - would be incapable of mitigation and thus should receive the highest score possible.

Lingfield is characterised by open spaces that extend into the heart of the settlement. The inclusion of this site would radically alter the nature of Lingfield - its appearance and its history. It would destroy the setting that is currently a Conservation Area; it would remove the views of the listed buildings and it would transform the experience of people walking between Lingfield station and the village from a journey through fields into a walk through a housing estate. The current combination of buildings of different ages and the spaces between them contribute to the special character of this area. It is clear that this would be taken away by TDC's proposals and that no modifications to the development proposals could protect, preserve or enhance this unique part of Lingfield.

There are other sites in Lingfield, identified in the emerging Neighbourhood Plan, that offer equivalent volumes of housing, without the damage to the heritage and character of the area. These have, in part, been identified by the Neighbourhood Plan Steering Group (see below) and we are aware of well-developed proposals relating to the Lingfield Gardens site that would provide more houses than HSG12 without the damage to Lingfield associated with the Star Fields site.


It is clear that no account was taken of the work that had been undertaken (and, indeed, public money spent on) the emerging Lingfield Neighbourhood Plan. TDC were well aware that, whilst the completed NP was not in place, an extensive, developed plan was in place with potential

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development sites identified and the expectation that Star Fields would have been designated as a Local Green Space. Moreover, a public consultation had already taken place (in 2016) in which people had indicated preferences between the major potential sites identified. TDC took no account of this work and of views expressed locally. I attach a statement made in September 2018 by the Chair of the Lingfield Neighbourhood Plan Steering Group. In it she states "despite the Steering Group keeping the council up to date with where they are in the process, the Star Fields was a very unexpected and unwelcome choice by the council."

People in Lingfield are not opposed to all development: they recognise that it is inevitable. The Neighbourhood Plan Steering Group had recognised the need for housing development in Lingfield, had consulted local people about the potential sites and presented the sites that it believed generated least harm to Lingfield. These all lay to the west and south of the village and excluded Star Fields (HSG12).

Conclusion

Our conclusion is that the inclusion of Star Fields in the TDC Plan is a consequence of a flawed process in that there was a failure to consult properly; the case for withdrawal of land from the Green Belt/Conservation Area has not been made; and that the damage to Lingfield's character and heritage has been underestimated by TDC. On these grounds, we argue that the inclusion of Star Fields in the Plan is unsound and that TDC should be required to remove it. There should be a full and properly conducted consultation exercise about development in the Lingfield area, with no unconsulted surprises. The process should involve the parish council, the Neighbourhood Plan - and Historic England, if this site is still to be pursued. It should, above all, ensure that local people have a genuine opportunity to comment on the proposals that are being considered for housing development in their community.

Ian Jones
Chairman
Star Fields Action Group