TED2: Tandridge District Council (TDC) Response to Inspectors initial correspondence - examination documents ID2 and 3

This Response follows the structure of the Inspector’s letters (ID2 and 3), quotes the main parts of the Inspector’s questions (bold italics), provides a summary response and adds some more detailed background explanation and comment. All titles of, and quotes from, reference documents are in italics.

1. **The Council’s Proposed Changes to the Local Plan**

1.1 The Council’s response regarding modifications is set out separately in document TED01.

2. **Strategic Housing Market Assessment (SHMA)**

_Notwithstanding that my Examination relates to the Publication version of the Plan, would you please confirm whether the Council proposes through the Hearings that the OAN should be derived using the 2016 based household projections? If this is the case, the SHMA documents should be updated accordingly and be made available to representors. In addition, is this a matter which gives rise to other proposed modifications, such as to paragraph 11.5 of the Plan?_

**Summary Response**

2.1 The Council confirms that its view is that the Objectively Assessed Need (for housing) - OAN should be derived using the Office of National Statistics (ONS) 2016 based household projections, as explained in:

- Examination Library Document HNS5 Updating the OAN of Tandridge 2018

2.2 The need for corresponding changes to the Plan (explanatory / reasoned justification text only) is indicated in the Council’s list of Proposed Main Modifications:

_Examination Library Document MD16 Schedule of Proposed Main Modifications 2019 (extract below)_

- (Plan) Para 11.6

- Update all references to Objectively Assessed Housing Need (OAN) to 398 dwellings per annum, 7,960 for the plan period.

- An update to the OAN calculation has been conducted using the most up to date data which is the 2016 household projections (HHP). The 2016 HHP results in a decrease in the anticipated growth for TDC and the new OAN has accounted for this.

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1 TDC note: assumed that reference should be to Para 11.6

**Document Reference TED02:**

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2.3 Updating OAN evidence on this basis is essential to the plan making process.

2.4 Relevant parts of the Strategic Housing Market Assessment (SHMA) have been updated as requested in a document entitled:

*Further Calculations to Reflect 2016 - Based Household Projections - Technical Paper for Tandridge District Council May 2019; Turley (consultancy)*

2.5 This document has been included in the Examination Library (Document HNS23E).

**Background Explanation / Comment**

2.6 Derivation of a housing ‘Objectively Assessed Need’ (OAN) figure (National Planning Policy Framework - NPPF 2012 Para 47) should be based on the best available, most up to date, evidence. Planning practice has always taken official demographic and household projections as the most important evidence source for deriving OAN. That evidence now includes the official, *Office for National Statistics - ONS, 2016 based Sub National Household Projections (published Sept 2018)*.

2.7 The Planning Practice Guidance - PPG associated with NPPF 2012 says:

*What is the starting point to establish the need for housing?*

*Household projections published by the Department for Communities and Local Government should provide the starting point estimate of overall housing need.......*

*Paragraph: 015 Reference ID: 2a-015-20140306 Revision date: 06 03 2014*

2.8 OAN is just one aspect of evidence and may be referred to in explanatory / reasoned justification text in the plan (as in Para 11.6 of Local Plan: 2033 referred to by the Inspector 2). The current reference to the 2015 evidence on OAN remains relevant to the point in time at which the Publication (Regulation 19) version of the Plan was considered by the Council and consulted on.

2.9 The Council welcomes the opportunity to consider, through the examination process, a revision to the OAN to best reflect the most up to date demographic and market signals data.

2.10 The Inspector raises questions on the currency of overall SHMA evidence in light of the re-assessment of the OAN for housing.

2.11 NPPF 2012 (Para 159) effectively requires a Local Housing Needs Assessment (LHNA) to derive the OAN for housing. Whilst many authorities choose to undertake LHNA and OAN determination in a single SHMA study/document prepared by a single expert party, the approach of the Council has been to prepare its SHMA over a number of technical papers and to deploy different specialist expertise (NMSS

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2 Referenced as para 11.5 in the Inspector’s letter
consultants) for the OAN aspect. This is to allow for use of appropriate specialist knowledge and to provide more flexibility in updating relevant sections as and when needed. The OAN evidence forms part of the Council’s SHMA.

2.12 TDC’s general SHMA consultants Turley (Examination Library Document HNS10-13) say: ‘Outputs are presented as proportions as opposed to absolutes and can therefore be applied through policy to the overall scale of housing to be provided for..

2.13 The Council accept that it is now helpful to reconsider the elements of the SHMA that are affected by the 2016 household projections. These are:

- Affordable housing needs
- Housing size, type and mix in new provision

2.14 This work has been carried out and is set out at Examination Library Document HNS23E. The revisions are based on the demographic projections numbers (no market signals additions).

3. **Five year supply of deliverable housing sites**

    **Whilst my Examination of the Plan is against the Framework 2012, after adoption of the Plan, the extent of the buffer to be applied in the context of the five year supply of deliverable housing sites will be defined as per paragraph 73 of the Framework 2019 in the light of the Housing Delivery Test. What implications would paragraph 73 have on the five year housing land supply position in Tandridge at that point assuming the Plan were adopted with the supply proposed?**

**Summary Response**

3.1 The implications of NPPF 2018/19 Para.73 for a Plan prepared under NPPF 2012 are for future decision taking (on planning applications), not plan making. For a decision taking assessment of the 5 year housing land supply position in Tandridge, after adoption of Our Local Plan 2033, it is expected that a 5% buffer would apply. This is because, on adoption of the new plan, the Housing Delivery Test (HDT) would be recalculated against the plan housing requirement. Tandridge would expect to ‘pass’ because housing delivery already achieved in the retrospective three year assessment period would be at the plan requirement level. A HDT pass means a 5% buffer would automatically be applied.

3.2 The draft plan proposes a housing requirement and delivery trajectory that is robust in relation to a 5% buffer assumption. There is therefore a very good prospect that a 5 year land supply would be demonstrated in detailed decision taking assessments.

**Background Explanation / Comment**

**NPPF 2012:**

3.3 A clear distinction must be drawn between ‘plan making’ and ‘decision taking’ (NPPF 2012 Para 14). The 5 year supply policy is about housing delivery against the plan, not devising the Plan itself.
3.4 For plan making, as a matter of good practice, a trajectory illustrating a realistic timeline for delivery of housing is prepared. This will determine the annual housing requirement, possibly in the form of a stepped requirement where delivery is expected to be uneven.

3.5 For decision taking the wording ‘identify and update annually a supply...’ is significant. This is undertaken through the LPA’s Authority’s Monitoring Report (AMR), which records progress and prospects for plan implementation each year. When a planning application is determined the land supply position may be updated and / or further scrutinised, with the result weighed in the balance of the overall decision.

3.6 AMR 2018 (Examination Library HNS8) records the Council’s view of the 5 year land supply position at 1 April 2018, including a 5% buffer ‘to ensure competition in the market for land’, measured against:

- Adopted Core Strategy (2008) housing requirement of 125 dwellings per annum (dpa) to 2026 (AMR Para 6.25 / Table 7); 12.67 years supply
- NPPF 2012 ‘Objectively Assessed Housing Need (OAN)’ 2015 of 470 dpa over the submitted Local Plan period 2013 to 2033 (AMR Para 6.29 / Table 8); 3.36 years supply
- NPPF 2018/19 Standard Method (SM) figure of 645 dpa (MHCLG calculated in 2017) (AMR Para 6.32 Table 9); 2.45 years supply

3.7 These 5 year housing land supply calculations are now being updated for AMR 2019 (1 April 2019 base date) and will be published at the earliest opportunity. The new AMR will include further calculations against the OAN 2018 (Examination Library HNS8) and the 2018/19 NPPF’s new Standard Method and Housing Delivery Test (HDT) based housing requirements (see NPPF 2018/19 section below). However for decision taking purposes, the substantive 5 year supply cannot change greatly until a new Local Plan is adopted.

3.8 NPPF 2012 no longer applies for decision taking. However, for context in addressing the Inspector’s question, the historic position has to be referred to. The policy was for addition of ‘buffers’ as part of any decision taking 5 year land supply calculation. The normal buffer was 5%. A 20% buffer was applied in cases of ‘a record of persistent under delivery’. ‘Under delivery’ could be measured against the plan requirement or, arguably, against other targets (household projection derived surrogate requirements, as indicated under the AMR second bullet above). Other targets became more relevant as the plan aged. For an ‘out of date’ plan (NPPF 2012 Para 14 and Annex 1 Para 215), this necessitated a case / time specific judgment by the decision taker as to how well the plan aligned with the NPPF.

3.9 Under NPPF12, the Core Strategy 2008 housing requirement remained highly relevant, especially in relation to Para 14 which says; ‘this means...granting permission unless specific policies in this framework indicate development should be restricted. The requirement embodied a careful balance with environmental and policy constraints (especially Green Belt policy).
3.10 Therefore the Council’s view has always been that there is no basis for use of a 20% buffer in decision taking under NPPF 2012.

3.11 All this is important because for plan making under NPPF 2012, there can be no suggestion of a context of ‘persistent under delivery’. Indeed there has been notable over delivery (AMR 2018 Para 5.10).

3.12 Furthermore as explained above, in plan making, NPPF 2012’s 5 year land supply policy is not a primary consideration. It is clearly a delivery monitoring and decision taking tool and is to be used in relation to an adopted plan housing requirement. For a Local Plan the focus should be on the proposed housing requirement and the anticipated delivery trajectory against it.

3.13 Our Local Plan 2033 includes a detailed, realistic, housing delivery trajectory. The Housing Topic Paper 2018 (Examination Library Document HNS2), at Paras 442-444 and Table 12, assesses the 5 year supply position at an assumed adoption date (then 1 April 2019). This follows the full land supply assessment that would be made in decision taking, with a potential shortfall from the early years of the plan period made up in the 5 year period and a 5% buffer applied. A supply of approximately 5.48 years is demonstrated. This calculation will be updated when AMR 2019 information is available.

NPPF 2018/19:

3.14 The new NPPF has changed 5 year housing supply policies somewhat. It is useful to consider if there are any implications for preparation of Our Local Plan 2033 under NPPF 2012.

3.15 Para. 73 of NPPF 2018/19 is placed under the heading Maintaining supply and delivery... It says: ‘Strategic policies should include a trajectory’ and ‘......identify and update annually a supply of specific sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.’ (TDC emphasis).

3.16 The approach to decision taking and use of buffers has changed. The NPPF now refers to ‘significant (not persistent) under delivery’. Performance in this respect is predetermined by the annual Housing Delivery Test (HDT) results. The application of the 20% buffer policy follows automatically (Para 73 c / footnote 39 applies).

3.17 For plan making NPPF 2018/19 has similar policies to NPPF 2012, but it usefully clarifies the purpose of 5 year housing land supply assessment and the role of buffers by its specific reference to maintaining supply and including a trajectory in strategic policies.

3.18 The associated PPG (Paragraph: 049 Reference ID: 3-049-20180913) details the approach to be taken to ‘demonstrate’ and potentially ‘confirm’ that a 5 year supply exists through Plan Examination. The PPG specifically says that in this process a 20% buffer should be applied where the HDT results so determine (Where the Housing Delivery Test indicates that delivery has fallen below 85% of the requirement, a 20% buffer should be added instead - Paragraph: 049 Reference ID: Document Reference TED02:

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The practical implications of this for plan making are not clear, especially as this approach will have a big influence on setting the plan housing requirement and considering stepping.

3.19 However this is not relevant to the Tandridge Local Plan 2033 position. This is because NPPF 2018/19 (Para. 73) refers to measuring supply ‘against their housing requirement set out in adopted strategic policies’ and the HDT will always be recalculated once a new plan is adopted (HDT Rule Book Para 16-18).

3.20 After adoption of Local Plan 2033 the HDT will be recalculated on the basis of its new housing requirement. The 3 year HDT assessment period is retrospective and it will all fall within the Local Plan 2033 plan period commencing 2013.

3.21 Known and projected dwelling gains for that period suggest that the TDC HDT result will shift from a fail to a pass. The automatic result is that for decision taking, a normal 5% buffer would be applied.

4. **Vacant and Empty Homes**

Has the Housing Strategy document been adopted by the Council and what progress has been made in the preparation of the targeted action plan? In addition, what evidence is there that returning 20 empty homes per annum is realistic and would this affect the assumptions made regarding the percentage of empty homes made in the OAN?

**Summary Response**

4.1 Bringing long term empty homes (‘empties’) back into use is an important part of the Council’s Housing Strategy adopted on 15 January 2019 (Examination Library Document HNS1 - Para 3.14 on). This document has now been finalised to incorporate the minor post approval changes referred to in the previously published version. The final document has been included in the Examination Library (Document HNS1E).

4.2 TDC’s Housing Strategy includes an overall Action Plan (at Appendix 1 of that document). The Action Plan sets out the Council’s intention to prepare an ‘Empty Homes Strategy and targeted action plan (by 2021)’. Though the initiative is not yet in place, the Council is already active in bringing empties back into use. This includes the evidence of potential demonstrated by the level of achievement of 15 homes brought back into use in 2018/19 under the general initiatives described in the Strategy.

4.3 20 dwellings per annum achieved from this source over the remaining Plan period is a Plan trajectory assumption (housing delivery) only. The Council has not suggested changes to its assumptions about vacant dwellings used for assessment of housing need for Our Local Plan 2033.

**Background Explanation / Comment**
4.4 It should be stressed that the Housing Strategy addresses long term, not normal, frictional, vacancy. Frictional vacancy will clearly remain (expected to be at 2% of stock, at least).

4.5 The Strategy Action Plan notes an ‘estimated target’ to bring 20 homes back into use per annum and this is the basis of the supply assumption used in Local Plan 2033. The evidence to support this position is set out in more detail in the Housing Topic Paper (Examination Library Document HNS2) at Paras. 238-249.

4.6 The PPG 2018/19 (Paragraph: 041 Reference ID: 3-041-20180913) provides some relevant guidance:

*How should authorities count bringing empty homes back into use?*

*To be included as a contribution to completions it would be for the authority to ensure that empty homes had not already been counted as part of the existing stock of dwellings to avoid double counting.*

4.7 This clearly acknowledges that empties can be treated as a source of housing supply.

4.8 Double counting does not arise in the approach taken to housing requirements in Local Plan 2033 because:

- The Plan OAN household growth estimate is converted into an estimate of the number of dwellings needed by making a vacancy allowance uplift based on the current stock position (2.84%). This adds approximately 10 dwellings per annum to give a total of 332 dpa. Therefore Plan evidence builds in an assumption of a continued high level of vacancy. Whatever the level of household growth that occurs, the stock of housing will always be significantly higher than the number of households accommodated.

- Plan provision levels are proposed at approximately 303 dpa, so with the annual vacancy allowance assumption (2.84%) subtracted (-9) this would accommodate approximately 294 additional households per annum.

- Plan trajectory assumptions and monitoring of delivery can count any empty dwelling brought back into use against the estimates of dwelling need in evidence. Effectively the empties occupied will be reducing the vacancy level in the overall stock below what has happened historically and then been assumed for the future.

(The figures used here are from the OAN assessment 2018 (Examination Library Document HNS5 Table 4.1).

4.9 The level of reliance on this element of the trajectory is minimal. Any failure to achieve these additional dwellings would be compensated for by the modest assumptions made elsewhere (particularly low levels of windfall and no allowance for
communal accommodation). Its inclusion is however important to demonstrate the range and integration of housing delivery actions proposed by TDC.

4.10 The OAN vacancy assumption is made as a worst case position from which to estimate future dwelling needs. 2.84% could possibly be viewed as a high level of vacancy (nationally the figure is approximately 2.5% - in 2017 MHCLG Dwelling Stock Estimates: 2017, England). This is especially the case when the assumption is applied to all new stock, where it might be expected that newly provided dwellings would have high levels of occupancy.

4.11 If TDC initiatives on empties achieve their objectives, demonstrated through evidence of sustained reductions in vacancy, then assumptions could justifiably be altered in any future OAN assessment of dwelling need. But that is for a future Local Plan.

5. **Provision for Gypsies, Travellers and Travelling Showpeople**

The Tandridge District Council Gypsy and Traveller Accommodation Assessment is dated January 2017. This report refers to a number of planning applications which may have a bearing upon the supply of pitches and plots. It would be helpful if you could provide an update as to the current position in terms of supply of accommodation for Gypsies, Travellers and Travelling Showpeople. In preparing the updated information, consider whether it is likely to be necessary to allocate specific sites to deal with identified need in the Plan Period and if so, how the Plan proposes to address this? In addition, the report identifies housing need for people who may not meet the definition of ‘gypsies and travellers’ as set out in the Planning Policy for Traveller Sites. How does the Plan address such housing need?

**Summary Response**

5.1 There is a complex history of planning applications for Gypsies, Travellers and Travelling Showpeople (GT and TSP) accommodation since the Gypsy and Traveller Accommodation Assessment (GTAA) (Examination Library Document SAD14) was conducted.

5.2 All the applications have been in Green Belt. Details are provided below. There are some decisions in process that are likely to add to the stock of GT pitches.

5.3 Our Local Plan 2033 does not set a provision requirement, or make site allocations, for GT and TSP accommodation. However Policy TLP15 Gypsy Traveller and Showpeople (Provision) states (Point IV) that planning permission will be granted where ..... considered as part of the comprehensive master planning of the South Godstone Garden Community (SGGC). Master planning will be achieved through the proposed SGGC Area Action Plan (AAP) under Policy SOG01 South Godstone Garden Community. This is clarified in the Proposed Minor Modification (now potentially a Main Modification – see response on modifications) to SGC01 under ‘Homes’, which adds a specific reference; ‘as well as meeting the needs of Gypsies and travellers’ in relation to the policy that; ‘a mix of homes will be delivered....’.
5.4 Housing needs of those in the GT and TSP community that do not meet the Government definition of ‘travellers’ are estimated and considered in the GTAA. These needs are already included in the assessment of OAN for housing (Examination Library Document HNS5), as this encompasses all aspects of household growth. Overall Plan provision of housing will offer market and affordable housing opportunities to accommodate growth in households that do not meet the Government definition.

Background Explanation / Comment

5.5 The accommodation need position remains as reported in the GTAA in 2017 (Examination Library Document SAD14).

5.6 Appendix 1 to this Paper includes:

- A list and map of authorised and unauthorised sites surveyed in the GTAA 2017 and other existing sites. This provides a context for understanding planning application history since the GTAA.

- A list and maps of relevant planning applications made / under consideration in the period since preparation of the GTAA (base date 1 April 2016) showing pitch / plot numbers and current status / decisions.

5.7 Some application and appeal decisions are outstanding, but imminent. The list and maps in the Appendix will be updated as decisions are made. New information will be made available for the Examination.

5.8 Our Local Plan 2033 policies acknowledge that the development need for housing, including for G and TSP, creates general NPPF exceptional circumstances to release land from the Green Belt. Area / site specific exceptional circumstances for G and TS accommodation are considered to arise only within the area of search for the proposed SGGC. At SGGC a new site or sites can be planned and released from Green Belt as part of a sizable mixed use development in a carefully selected location.

5.9 This is a realistic approach in terms of practical prospects for delivery. Making future provision through site allocations is best achieved as a part of larger scale releases of development land from the Green Belt. This creates options for direct involvement in the development through public land ownership / acquisition, or through planning permission obligations. Planning obligations can secure land reservations for G and TS use and, potentially, an ‘affordable housing’ cross subsidy of land and site set up costs.

5.10 Outside of plan allocations new supply can be achieved through small scale, opportunity led, privately owned site proposals in appropriate locations. Such proposals are currently considered under the criteria in adopted Local Plan (Core Strategy Policy CSP 9). In future they will be considered under the criteria based policies in the new Plan (Policy TLP15 Gypsy Traveller and Showpeople (Provision)). The Green Belt has to be regarded as a significant constraint (Planning Policy for Travellers Sites DCLG 2015 - Policy E). In Green Belt cases it is possible
that the specific application and / or personal circumstances of the G and TSP applicants may create NPPF very special circumstances.

6. **Habitat Regulations**

*Would the Council confirm whether the Habitats Regulation Assessment (dated August 2018) took into account the Judgement of the European Court of Justice (C-323/17 People over Wind, Peter Sweetman v Coillte Teoranta).*

*Also, whether Natural England made a formal response in respect of the HRA.*

**Summary Response**

6.1 The Habitat Regulations Assessment (HRA) process undertaken accords fully with the European Court of Justice (ECJ) judgement referred to. The HRA was finalised taking account of the judgement.

6.2 Natural England has been consulted at the screening and final stages of the HRA. They responded positively.

**Background Explanation / Comment**

6.3 In April 2018, in the case *People Over Wind & Sweetman v Coillte Teoranta* (“People over Wind”), the Court of Justice of the European Union clarified that it is not appropriate to take account of mitigation measures when screening plans and projects for their effects on European protected habitats under the Habitats Directive. In practice this means if a likely significant effect is identified at the screening stage of a habitats assessment, an ‘Appropriate Assessment’ of those effects must be undertaken. In May 2018, Natural England informally advised the Council and other authorities of how the case should be taken account of. The Council’s subsequent approach is entirely consistent with the legal case-law.

6.4 There are no international habitats sites within Tandridge District. However there are two within neighbouring districts which have been subject to the HRA process for Our Local Plan 2033.

6.5 These are:

- Ashdown Forest - Special Area of Conservation (SAC) and Special Protection Area (SPA).

- Mole Gap to Reigate Escarpment - Special Area of Conservation (SAC).

6.6 In August 2017, TDC published a ‘Habitat Regulations Assessment Stage 1: Screening (2017 Update) Including Garden Village Options’ (Examination Library Document SHA11).
6.7 In July 2018, TDC published its Habitats Regulations Assessment – Report for the Regulation 19 Pre-Submission Local Plan (2018) (Examination Library Document MD8 Regulation 22 stage / SSAH - Regulation 19 stage). As stated in section 1.1: ‘This report represents Stage 2 ‘Appropriate Assessment’ of the Habitats Regulations Assessment conducted in support of the Tandridge District Council Local Plan 2033. It follows an initial Stage 1 Screening (2017 Update) undertaken in August 2017, as well as previous iterations in 2015 and 2016.’

6.8 The screening published in August 2017 considered likely significant effects. For Ashdown Forest SAC/SPA it ‘screened in’ recreational disturbance and air pollution, but screened out water pollution from further consideration. For the Mole Gap to Reigate Escarpment SAC, recreational impacts, air pollution and drainage/water pollution were ‘screened in’, while a further matter was screened out - ‘maintenance of grazing, absence of direct fertilisation; suitable foraging and refuge habitat within 500m of ponds; maintenance of landscape features’.

6.9 In accordance with the ‘People over Wind’ case law, the Council took no account of mitigation measures at the Stage 1 screening stage. Natural England’s October 2017 comments on the Council’s stage 1 screening can be found at Appendix 2 to this Paper.

6.10 The Council’s ‘screened in’ matters were given full detailed consideration as part of the Stage 2 Appropriate Assessment in July 2018, at which stage relevant mitigation measures were considered. In the July 2018 report, analysis based upon all available technical evidence was given to the impacts that were originally ‘screened in’ as part of Stage 1 ‘Screening’ of the HRA in August 2017. These were as follows:

Ashdown Forest SAC and SPA
- Air Quality
- Recreational Disturbance

Mole Gap to Reigate Escarpment SAC
- Air Quality
- Recreational Disturbance
- Hydrology

6.11 For the Ashdown Forest SAC, the July 2018 Appropriate Assessment Report summed up supporting technical evidence demonstrating no net adverse effect from air quality. For the Ashdown Forest SPA, it was concluded that recreational impacts needed to be mitigated via the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM). As part of ongoing joint working, the Council agreed with other local authorities to apply a 7km zone within which mitigation measures should apply, which informed Our Local Plan 2033 Policy TLP36 Ashdown Forest Special Protection Area.

6.12 For the Mole Gap to Reigate Escarpment, no adverse effect on the integrity of the site from recreational impacts was shown. For hydrology, the HRA recommended that Local Plan policy ensures that Sustainable Urban Drainage System (SuDS) schemes mitigate the potential for surface water runoff from sites to affect water
quality, which was subsequently reflected in the wording of Local Plan 2033 Policy TLP 47 Sustainable (Urban) Drainage and Reducing Flood Risk. For air quality, the AA showed no negative impacts from the Plan that would prevent the SAC meeting its conservation objectives.

6.13 The July 2018 Appropriate Assessment Report also recommended a number of Our Local Plan 2033 measures and policies that will have general positive ecological and sustainability outcomes.

6.14 Natural England’s Reg 19 consultation comments can be found at Appendix 3 to this Paper. Natural England had no fundamental objections in relation to the soundness of Our Local Plan 2033, and confirm that this statement should be interpreted as also being applicable to the supporting HRA (Appendix 4).
# Gypsy / Traveller planning applications

## Determined applications

<table>
<thead>
<tr>
<th>Application No.</th>
<th>Site Address</th>
<th>Description</th>
<th>Number of proposed pitches / plots</th>
<th>Is site already occupied / Is this a retrospective application?</th>
<th>Current status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015/1913</td>
<td>High View, Manor Park, Beech Farm Road, Warlingham</td>
<td>Change of use of land to a private gypsy and traveller caravan site; providing for 4 caravan pitches</td>
<td>4 pitches</td>
<td>Occupied site comprising 4 unauthorised pitches. Retrospective planning application.</td>
<td>Refused January 2018. Appeal lodged; Public inquiry 16/04/19</td>
</tr>
<tr>
<td>2015/1991</td>
<td>Kew Gardens, Antlands Lane, Shipley Bridge</td>
<td>Erection of utility block, day room/ store, stable block with storage barn and kennel (retrospective) and variation of condition 2 of appeal decision APP/M3645/C/11/2149181 and APP/M3645/C/11/2149182 dated 15 September 2011 to allow for an additional pitch on site.</td>
<td>1 pitch</td>
<td>Occupied site comprising 1 authorised pitch and 1 unauthorised pitch. Retrospective planning application in relation to buildings and 1 unauthorised pitch.</td>
<td>Refused August 2017. Appeal submitted but out of time. Enf notice served and enf appeal determined January 2019. Notice largely upheld</td>
</tr>
<tr>
<td>2015/2203</td>
<td>Land adj caravan site, Beech Farm Road, Warlingham (Field 2472)</td>
<td>Change of use of land for residential occupation of caravans by gypsy-travellers with associated hard standing, utility blocks and fencing for three additional pitches (part retrospective)</td>
<td>3 pitches</td>
<td>Occupied site comprising 4 unauthorised pitches. Retrospective planning application. Site overlaps with 2017/2377.</td>
<td>Refused March 2019 – no appeal lodged to date</td>
</tr>
<tr>
<td>2017/2377</td>
<td>Land adj caravan site, Beech Farm Road, Warlingham</td>
<td>Change of use of land for the stationing of four static caravans for residential occupation by gypsy travellers, formation of new access and track, hard-standing, utility block, cesspool, storage area for up to four touring caravans and fencing. (Part retrospective)</td>
<td>4 pitches</td>
<td>Occupied site comprising 2 unauthorised pitches. Planning application part retrospective. Site overlaps with 2015/2203.</td>
<td>Refused March 2019 – no appeal lodged to date</td>
</tr>
<tr>
<td>Application No.</td>
<td>Site Address</td>
<td>Description</td>
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<tr>
<td>2013/1454</td>
<td>Hades Wood Farm, Cogman’s Lane, Smallfield.</td>
<td>Change of use of land for the stationing of a mobile home with associated hard standing, septic tank, utility building and storage.</td>
<td>1 pitch</td>
<td>Site appears not to be occupied.</td>
<td>Awaiting determinat ion.</td>
</tr>
<tr>
<td>2014/1484</td>
<td>Hare and Hounds, Lingfield Common Road, Lingfield</td>
<td>Variation of condition 1 and 2 of permission TA/2009/962 to allow for permanent stationing of three caravans and to enable the occupation by any other un- named Gypsy and Travellers</td>
<td>3 pitches</td>
<td>Occupied site comprising 3 unauthorised pitches. Site previously granted temporary permission for 3 pitches. This current application seeking permanent permission.</td>
<td>Awaiting determinat ion</td>
</tr>
<tr>
<td>2014/2038</td>
<td>Forge Farm Nurseries, West Park</td>
<td>Variation of condition 4 of permission App/M3645/A/09/2108985 dated 21 December 2009</td>
<td>6 pitches</td>
<td>Occupied site comprising 5 unauthorised pitches. Site</td>
<td>Awaiting determinat ion</td>
</tr>
</tbody>
</table>

**Outstanding planning applications**

<table>
<thead>
<tr>
<th>Application No.</th>
<th>Site Address</th>
<th>Description</th>
<th>Number of proposed pitches / plots</th>
<th>Is site already occupied / Is this a retrospective application?</th>
<th>Current status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017/2652</td>
<td>Land at Farm Lane, Godstone, RH9 8DH</td>
<td>Proposed siting of 10 mobile homes and touring caravans and two-day rooms</td>
<td>10 pitches</td>
<td>Unoccupied site.</td>
<td>Refused September 2018 – no appeal lodged and now out of time.</td>
</tr>
<tr>
<td>2019/155</td>
<td>Land to rear of 64-70 Copthorne Road, Felbridge.</td>
<td>Outline application with all matters reserved for a proposed single pitch site for settled gypsy accommodation.</td>
<td>1 pitch</td>
<td>Unoccupied site.</td>
<td>Refused April 2019 – no appeal lodged to date.</td>
</tr>
<tr>
<td>Reference</td>
<td>Address</td>
<td>Description</td>
<td>Sites</td>
<td>Status</td>
<td></td>
</tr>
<tr>
<td>------------</td>
<td>--------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>--------</td>
<td>-------------------------------</td>
<td></td>
</tr>
<tr>
<td>2015/227</td>
<td>Ivy Hatch, Downlands Lane, Copthorne</td>
<td>Stationing of three mobile homes with access, parking and private amenity space. (Retrospective)</td>
<td>3 pitches</td>
<td>Occupied site comprising 3 unauthorised pitches. Retrospective planning application. Awaiting determination.</td>
<td></td>
</tr>
<tr>
<td>2015/605</td>
<td>The Oaks/Oak Trees, Green Lane, Shipley Bridge RH6 9TJ</td>
<td>Variation of condition 4 of planning permission TA/2009/1073 to allow the stationing of 2 additional caravans.</td>
<td>2 pitches</td>
<td>Occupied site comprising 4 authorised pitches. Unknown if proposed pitches are existing and occupied. Awaiting determination.</td>
<td></td>
</tr>
<tr>
<td>2016/1344</td>
<td>Land east and south of Oaklands, Green Lane, Shipley Bridge RH6 9TJ (Plot 3 Oaklands)</td>
<td>Extension to existing Gypsy/Traveller site to provide 4 additional pitches comprising 4 mobile homes, 4 touring caravans and 4 utility rooms together with the repositioning of the existing lawful mobile home.</td>
<td>4 pitches</td>
<td>Occupied site comprising a long-established and licensed mobile home. Unknown if proposed pitches are existing and occupied. Awaiting determination.</td>
<td></td>
</tr>
<tr>
<td>2017/1721</td>
<td>The Plantation, Springbottom Lane, Bletchingley</td>
<td>Change of use of land for the stationing of a mobile home with associated hardstanding.</td>
<td>1 pitch</td>
<td>Occupied site comprising 1 unauthorised pitch. Retrospective planning application. Awaiting determination.</td>
<td></td>
</tr>
<tr>
<td>2017/1457</td>
<td>Burstow Stables, Church Lane, Burstow, RH6 9TG.</td>
<td>Change of use of land to a gypsy and traveller caravan site consisting of 1 pitch</td>
<td>1 pitch</td>
<td>Occupied site comprising 1 unauthorised pitch. Site previously granted temporary permission for 1 pitch. This application seeking permanent permission. Awaiting determination.</td>
<td></td>
</tr>
<tr>
<td>2018/1139</td>
<td>Beechfield, Moats Lane, South Nutfield RH1 5PF</td>
<td>Stationing of 2 mobile homes</td>
<td>2 pitches</td>
<td>Occupied site comprising 2 unauthorised pitches. Retrospective planning application. Awaiting determination (Replaces 2017/2394, which will be</td>
<td></td>
</tr>
</tbody>
</table>

*Document Reference TED02:*
Tandridge District Council – Response to ID2 and 3 – May 2019
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### Travelling showpeople planning applications

<table>
<thead>
<tr>
<th>Application No.</th>
<th>Site Address</th>
<th>Description</th>
<th>Number of proposed pitches / plots</th>
<th>Is site already occupied / Is this a retrospective application?</th>
<th>Current status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016/863</td>
<td>Former Lingfield Common Nursery, Lingfield Common Road, Lingfield</td>
<td>Change of use of land to create 12 plots for travelling showpeople with equipment storage area</td>
<td>12 plots</td>
<td>Unoccupied site.</td>
<td>Refused October 2017. No appeal lodged.</td>
</tr>
<tr>
<td>2019/236</td>
<td>Land adjacent to Michael’s Commercials, East Park Lane, Newchapel.</td>
<td>Change of use of land to create 17 plots for travelling showpeople with creation of new access to highway.</td>
<td>17 plots</td>
<td>Unoccupied site.</td>
<td>Awaiting determination.</td>
</tr>
</tbody>
</table>
Existing Gypsy, Traveller and Travelling Showpeople sites

- Unauthorised Pitches
- Authorised Plots
- Authorised Pitches

Tandridge District Council

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Appendix 2: Natural England’s Comments on the Council’s HRA Stage 1 Screening
Dear Roger,

Planning Consultation: Habitat Regulations Assessment Stage 1: Screening (2017 Update) including Garden Village Options (August 2017).
Location: Tandridge District Council.

Thank you for your consultation on the above dated 16th August 2017.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in Development Management Plans and must be consulted where they consider our interests would be affected by the proposals made.

Habitats Regulations Assessment Stage 1: Screening

Natural England would like to make the following comments on the submitted document:

- Natural England is in agreement with the conclusions reached for the Ashdown Forest SAC/SPIA, in that abiding by the precautionary principle, recreational impacts and air quality should be screened in and hydrology can be screened out.

- Natural England is mostly in agreement with the conclusions reached for the Mole Gap to Reigate Escarpment SAC. We agree that air quality and hydrology should both be screened in, however would advise that due to a lack of supporting evidence for recreational impacts, this particular risk can be screened out.

For any queries relating to the specific advice in this letter only please contact me on rebecca.ingram@naturalengland.org.uk or 02080267712. For any new consultations, please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely,

Rebecca Ingram
Sustainable Development
Thames Team
Appendix 3: Natural England’s Regulation 19 Consultation Response
Date: 10 September 2018
Our ref: 254075

Tandridge District Council

BY EMAIL ONLY

Dear Piers Mason

Planning Consultation: Tandridge Local Plan – Regulation 19 consultation

Thank you for your consultation on the above dated 30th July 2018.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We have no fundamental objections in relation to the soundness of the Local Plan, however we would like to make the following comments.

Policy
Natural England supports policy TLP30, and considers that the support provided for biodiversity net gain is in line with paragraph 170(d) of the NPFF (2018).

Allocations
HS511 – Part of this allocation is within the Surrey Hills AONB, and the remainder is within the setting of the AONB. Development at this location should be supported by an LVIA, which will inform the need for mitigation as part of the development and should indicate whether the entirety of the site is developable.

SES02 – development of an airport at this location should take account of potential air quality implications for Hedgecourt SSSI. Modelling is likely to be required to demonstrate there will be no significant change in air quality in relation to the site relevant critical load and level.

SES04 – development at this location should consider potential use in relation to Tilsey Woods SSSI. Consideration may need to be given to the potential need for measures to prevent stored materials or other works on site from impacting upon the SSSI. Consideration should also be given to the potential impact of development within the area on the landscape character of the Surrey Hills AONB. Any substantial development would need to be supported by an LVIA.

IES06 – development at this location should have regard for the potential impact on the landscape character of the Surrey Hills AONB, and any substantial development may need to be supported by an LVIA.

If you have any queries relating to the advice in this letter please contact me at chris.baines@naturalengland.org.uk.

Yours sincerely,

Chris Baines
Sustainable Development Adviser
Thames Team

Document Reference TED02:
Tandridge District Council – Response to ID2 and 3 – May 2019
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Appendix 4: Clarification Correspondence on Natural England’s Regulation 19 Consultation Response
Hi Roger,

I confirm your understanding of Natural England’s position, as outlined below.

Kind Regards

Marc

Marc Turner – Senior Planning Adviser
Thames Team
Natural England
02080267686

PLEASE NOTE, I do not work Thursday after midday

Eastleigh House
Upper Market Street
Eastleigh
SO50 9YN

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England’s traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing

Natural England offers two chargeable services – The Discretionary Advice Service (DAS) provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as pre-licensing species advice and pre-assent and consent advice. The Pre-submission Screening Service (PSS) provides advice for protected species mitigation licence applications.

These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, reduce the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.
I would be grateful if you would confirm the following salient points from our discussion.

- Natural England’s regulation 19 consultation response (10/09/2019) stating ‘no fundamental objections in relation to the soundness of the Local Plan’ should also be interpreted as Natural England having no fundamental objections to the supporting HRA.
- Natural England is supportive of the conclusions of the Tandridge HRA. In particular you reconfirmed support for the conclusions of the TDC Stage 2 Appropriate Assessment that there are no likely significant effect or adverse impacts upon the Mole Gap to Reigate Escarpment SAC from recreational impacts, hydrology or air quality.

Many thanks
Roger Comerford