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## Appeal Decision

Inquiry held on 10-12, 17-18 & 20 March 2025

Accompanied site visit made between 1-5pm on 16 March 2025

**by Nick Fagan BSc (Hons), DipTP, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6<sup>th</sup> May 2026

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**Appeal Ref: APP/M3645/W/25/3374913**

**Former Laporte Works Site, Nutfield Road, Nutfield, Surrey RH1 4HG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission dated 3 October 2025.
  - The appeal is made by Nutfield Park Developments Limited against the decision of Tandridge District Council (the Local Planning Authority or LPA).
  - The LPA application Ref is 2023/1281.
  - The development proposed is: 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).
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### Decision

1. The appeal is allowed and outline planning permission is granted 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), at Former Laporte Works Site, Nutfield Road, Nutfield, Surrey RH1 4HG in accordance with the terms of the application, Ref 2023/1281, subject to the conditions in the attached Schedule below.

### Preliminary Matters

2. The planning obligations contained in a draft S106 agreement (the S106) were discussed at the Inquiry, specifically on the afternoon of Day 5. It was agreed that an executed copy of the S106 would be provided to me by 2 April. The final executed S106 was in fact sent on (and dated) 27 March 2026. I refer to this as necessary below.

### Main Issues

3. The main issues are:
  - Whether the proposed development would constitute inappropriate development in the Metropolitan Green Belt in terms of whether it would fail to comply with the requirements set out in paragraphs 155 & 156 of the National Planning Policy Framework (NPPF), specifically whether: it would fundamentally undermine the purposes (taken together) of the remaining Green Belt across Tandridge, it would be in a sustainable location or one which could be made sustainable as per NPPF paragraph 110, and there would be necessary improvements to local infrastructure.

- If the appeal proposal would be inappropriate development, whether very special circumstances exist to justify allowing it, namely whether the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, as per NPPF paragraph 153.
- The extent of the development's (specifically the Integrated Retirement Community's) 'less than substantial harm' on the setting and consequently overall significance of the Grade II\* St Peter & St Paul's Church and the Grade II Folly at Redwood as expressed on the customary scale for such, and whether such harm would be outweighed by the scheme's public benefits.
- Whether the proposed development would result in any other significant harm.
- The weight to be attached to any harm resulting from the development (as set out above) and to its benefits, leading to the planning balance, either the standard balance in NPPF paragraph 11d) i) or the tilted balance in 11d) ii).

## Reasons

### Green Belt

4. It is common ground between the main parties that the proposed development would be located on Green Belt land. In arriving at this agreed position, the LPA also agrees that the heritage harm it raises in its Refusal Reason 2 would not provide a strong reason for refusing the development.<sup>1</sup> The specific main issues under this topic are therefore solely whether it would:
  - *'fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan'* - i.e. Tandridge [the NPPF paragraph 155(a) issue]
  - *'be in a sustainable location (or could be made one), with particular reference to paragraphs 110 and 115'* of the NPPF [the paragraph 155(c) issue]
  - comply with the Golden Rules in NPPF paragraph 156, as required by 155(d), specifically whether it would provide *'necessary improvements to local or national infrastructure'* [the paragraph 156(b) issue].

### *The paragraph 155(a) issue*

5. The vast majority (94%) of the land within Tandridge District is washed over by the Green Belt, the most of any LPA in England. It covers all the land outside the larger settlement boundaries, the main built-up areas. The main purpose of the Metropolitan Green Belt was, when it was created in 1958, and still is, to curb London's outward sprawl.
6. The appeal site comprises an area of 58.8 hectares (ha), but only approximately 7ha of the southern part of it would be developed by the proposed housing (only 12% of the site). This 7ha comprises less than 0.03% of Tandridge's Green Belt. The parts of the site proposed for built development predominantly comprise open spaced gaps within woodland, albeit some trees will be felled within and adjoining

<sup>1</sup> Conceded by Mr Lee in X-X (Day 2, pm)

these largely open spaces. The principle of the design<sup>2</sup> is to contain the development largely within these open areas, many of which were quarried for Fuller's Earth or fulfilled a processing facility for such for many years up until 1986, before the decommissioning of the Laporte Works site in 1997.

7. Three separate areas of development are proposed within these areas: referred to as Green Park West, where the majority of the housing and the new access will be, Park Wood Hamlet to the north of Nutfield Memorial Hall and Sports Pitch, and the Integrated Retirement Community (IRC) to the southeastern part of the site. These areas would be shielded from the more open downward facing land occupying the northern parts of the site either by existing woodland including that planted by way of restoring the land from its previous mineral workings, but also by new areas of bunding and woodland planting immediately to the north of Park Wood Hamlet in the middle of the site. This treed bunding would not, as the Council seems to imply, be an alien engineering feature; it would readily assimilate into the local wooded topography, which itself has been significantly altered through time by past mineral excavations.
8. NPPF paragraph 143 sets out the five purposes of the Green Belt. The LPA accept that the site is Grey Belt and consequently accept that it does not strongly contribute to purposes (a), (b) or (d), nor does it to purpose (e). But it argues that the development fails purpose (c), *'to assist in safeguarding the countryside from encroachment'*.
9. Although the proposed development would take place in the countryside, for the above reasons I consider that the appellant has done all it could through the scheme's design<sup>3</sup> to minimise its impact on the surrounding Green Belt land. That would include views from Public Rights of Way (PROWs) to the north. In my opinion, and having walked such PROWs, both those within the site itself and those outside it, the impact of the development on the wider Green Belt locally, let alone on the Green Belt within Tandridge as a whole, would be negligible, notwithstanding that there may be some very filtered views through trees of some of the new housing in the winter.
10. Consequently, the proposed development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt in Tandridge. The paragraph 155(a) test is passed. Additionally, the development of this 7ha of the contained southern part of the site will have no impact on the Metropolitan Green Belt's original purpose to curb London's outward sprawl.
11. The suggestion by the Council's witness that the development of this site would set some sort of precedent for the development of other countryside Green Belt sites within the District is legally inaccurate and therefore irrelevant. Each planning proposal is considered on its individual merits in relation to extant planning policy at the time it is determined. His suggestion that the appellant might try to develop other northerly parts of the site also have no merit, because those areas are reserved in this scheme for biodiversity net gain (BNG) enhancements and public open space (POS) as set out in the S106 and would require a separate planning permission.

<sup>2</sup> As expressed in the Design & Access Statement (D&AS) and the Landscape and Visual Appraisal & Green Belt Assessment (LVA) – Core Documents (CDs) 1.11/1.12 & 1.28-1.31 respectively

<sup>3</sup> As per drawings PL.02-PL.05 in Condition 3 below

*The paragraph 155(c) issue*

12. NPPF paragraph 110 refers to *'Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes'*. The Council's concern is that the proposal does not limit the need to travel, because Nutfield does not have sufficient day-to-day facilities required by residents, nor is there likely to be any in the development itself.
13. NPPF paragraph 115 refers to the need to ensure *that 'a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location'*. Such modes can be any (and don't have to be all) of the following: walking, cycling, ultra-low and zero emission vehicles, car sharing and public transport, as defined in the NPPF glossary.
14. I acknowledge that Nutfield has no day-to-day facilities likely to be required by residents and that all such facilities are well over 800m from the centre of the proposed development, which is no surprise considering that it is a Tier 4 settlement in the District. I agree with the Council that 800m is a well-established reasonable distance to assume people will walk to access day-to-day services. For instance, Holborn's, the nearest grocery store in South Nutfield, and South Nutfield Primary School opposite it on the other side of the road, are approximately 1.5km away down the hill.
15. I accept that probably most residents would not be likely to walk to such facilities, although some would, given there is a footway linking Nutfield and South Nutfield, which is lit for most of the way, as well as the two villages themselves both having good footways. I acknowledge that the need to cross Mid Street and Sandy Lane to access the footway running down to South Nutfield is not ideal, but these roads are not intensively trafficked and would not in my opinion deter an average healthy person from walking this route.
16. Anyway, the appellant covenants via Schedule 3(3) of the S106, to practically complete to shell and core a small local shop unit under Use Class F2(a) not exceeding 280m<sup>2</sup> prior to occupation of more than 50 dwellings, such a unit not to be amalgamated, subdivided or used for any other purpose without the Council's written consent. The definition of an F2(a) use is a shop selling essential goods, including food, where there is no other such facility within a 1km radius, which would be the case here. I understand that this shop unit is to be provided within the IRC as part of the 1,500m<sup>2</sup> combined Class E(e)/F2(a) floorspace, the former being for the provision of medical and health services to visiting members of the public, obviously including residents of the IRC.
17. The Council argues that this covenant will not guarantee a local grocery shop is provided and indeed, even if it was, this may not prove viable. But since the appellant is committed to providing the shell and core of this Class F2(a) floorspace, it clearly believes such a shop to be viable and hence deliverable. For these reasons I consider it is likely that such a shop would be delivered as part of the scheme. I see no reason why it would be unviable given the development seeks to add up to 166 Class C3 dwellings, 70 Class C2 care beds and 41 extra care facility units, which would considerably increase Nutfield's population.
18. Even if it wasn't provided or such a shop proved to be unviable, Holborn's or the Priory Farm shop would be a very short cycling time from the housing on the site.

There are also bus routes (routes 400 and 410 in particular) providing regular frequent services throughout the day from bus stops located a short walking distance from the site on the main A25 road that passes through Nutfield, which would give residents easy and quick access to the shops in Redhill town centre including a large Sainsbury's supermarket (16-21 minutes, varying from peak to off-peak services).<sup>4</sup>

19. However, access times by buses would be quicker as a result of the £4M contribution that the appellant would provide to Surrey County Council's Digital Demand Responsive Transport (DDRT) service via Schedule 6 of the S106, which would enable residents to digitally book a dedicated bus service between 6am-11pm on weekdays and 8am-10pm on Sundays. This would, for instance, lessen the time by bus to Sainsbury's in Redhill to between 7-13 minutes.
20. Redhill and adjacent Reigate comprise one built-up area, one of the largest population centres in Surrey, containing a multiplicity of services and facilities, all of which are a similar short bus journey away, which will be considerably further shortened by the appellant's contribution to the Surrey DDRT. This includes Redhill railway station, which provided regular and frequent services to London Bridge and Victoria stations taking 34- and 40-minutes respectively, as well as to Gatwick, Tonbridge and Reading and stations in between.
21. The appellant would also provide, through Schedule 12 of the S106, a significant improvement scheme to National Cycle Route (NCR) 21, which runs from Greenwich to Eastbourne. This involves a substantial budget (of approximately £1.28M) of improvements to the route and surface of NCR21 from Cormongers Lane to the Cavendish Road bridge over the main railway line on the edge of Redhill, a distance of 1.75km, such works to be fully implemented prior to occupation of the development. These works would clear debris, prevent regular flooding of this part of NCR21 and provide a 2m wide fine graded stone surfacing for the route. I was able to see for myself during the Inquiry how badly flooded this part of the route gets and so appreciate the full significance of such works.
22. The wider improvement scheme (included as Appendix 3 of the S106, as well as Plan PL.03) also details how a series of new 2m wide appropriately surfaced combined pedestrian/cycle paths would provide improved walking and cycling routes from Nutfield High Street into the site, and from the residential enclaves of the site would connect via new routes and similarly upgraded PROWs 192 and 616 to the improved NCR21.
23. I consider these cycling (and walking) route improvements to be important and significant and am confident that they would be a realistic alternative to the private car for many residents, for accessing Redhill train station and Redhill's shops including Sainsbury's. It would only take 12 minutes to cycle from the middle of Green Park West, where the majority of the new houses would be, to Redhill station and 13 minutes to Sainsbury's. E-bike parking and chargers would be provided with the housing on the site, as secured by Condition 22 below.
24. The above improved connections to the High Street would also be boosted by the provision of new signalised pedestrian crossings near the junctions of Mid Street and Coopers Hill Road; an uncontrolled crossing with a new section of footway linking to the existing bus layby on Nutfield Road at the western end of the village

<sup>4</sup> All such relevant agreed information is set out in the Transport Statement of Common Ground (SoCG), CD8.2

next to the cemetery; and to the provision of separate right and left turn lanes on Mid Street at the High Street junction to provide improved capacity at this arm of the junction. The 30mph speed limit would also be extended westward to take account of the new housing at Green Park West. All these improvements, to be delivered prior to first occupation via Schedule 3(2) of the S106 and secured by conditions below, would undoubtedly enhance pedestrian connectivity across the A25 and lead to safety benefits, encouraging residents of the scheme and other village residents to walk, cycle or use the local buses.

25. In summary, I accept that some residents of the development would inevitably drive their own cars to buy a pint of milk or loaf of bread etc – discounting the likely provision of a small grocery shop on the site – or drop their children off at school and that the provision of the DDRT contribution would not gainsay their choice in that respect .
26. But the locational sustainability or otherwise of the appeal site does not solely rest on limiting the need to travel, although I accept that is important, hence the appellant's plans to provide for a convenience shop. It also rests on offering a genuine choice of transport modes. For the reasons indicated above, I consider that the development would offer a genuine choice of sustainable transport modes through the S106 obligations and above highway improvements, considering that Nutfield is located on the main A25 road only 3km east of Redhill, one of Surrey's main towns. It would therefore comply with NPPF paragraph 110. It would prioritise sustainable transport modes in accordance with NPPF paragraph 115, taking account of its vision for the site, the type of development and its location.
27. It is also notable that the Local Highway Authority, Surrey County Council, which had originally raised an objection on locational sustainability grounds, has now, with the above contributions and improvements, seen fit to withdraw its objection to the proposed development on this ground.
28. For all these reasons, I conclude that the location of the appeal site and the development proposed on it would be sustainable in that it would be likely to have a local grocery store within it and, even if it did not, the S106 improvements offered by the development in this respect would offer and prioritise a genuine choice of sustainable transport modes to Redhill and South Nutfield.

*The paragraph 156(b) issue*

29. Paragraph 156 requires that where major housing development is proposed in the Green Belt that the appropriate contributions ('Golden Rules') in respect of:  
a. affordable housing (AH), b. necessary improvements to local or national infrastructure and c. new or improved green spaces accessible to the public should be made (POS). The Council accepts that the requisite amount of AH and POS would be provided.
30. However, it argues that the community retail store is not guaranteed to be provided, for the reasons set out above and because a third party operator for such a store may not come forward. As I've also indicated above, although that could be possible, I do not consider it to be likely. Anyway, and as the Council acknowledges, it would not meet the CIL tests to tie the future on-going residential occupation of the scheme to the ongoing operation of such a store, which cannot be guaranteed. All the Golden Rules require is the provision of necessary infrastructure improvements – and that would be done here.

31. The Council does not suggest any further necessary local or national infrastructure is missing and should be provided. For these reasons I consider that all the Golden Rules are complied with, including necessary infrastructure in 156(b).

#### *Conclusion of Green Belt Issue*

32. For the above reasons the appeal proposal would not be inappropriate development in the Green Belt because it would comply with NPPF paragraphs 155 and 156. Green Belt issues are not therefore a bar to this development.

#### Heritage

33. I am required by s66(1) of the Planning (Listed Buildings and Conservation Areas) Act (1990, as amended) to act as follows:

*'In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'*

34. The rest of Section 2 of the Heritage SoCG outlines relevant national and local planning policy, guidance and relevant case law in relation to heritage matters pertinent to this appeal. This comprises NPPF paragraphs 207, 208, 212-215, Tandridge District Local Plan Part 2: Detailed Policies 2014-2029 (TDLP) Policy DP20, the relevant parts of Planning Practice Guidance (PPG), Historic England's Good Practice Advice in Planning Note 3: The setting of Heritage Assets (GPA3), and the *Barnwell Manor*<sup>5</sup> judgement, which stated that the s66(1) duty above should be given '*considerable importance and weight*'.
35. The first thing to say about the Council's objections on heritage grounds to the development, as set out in its Refusal Reason 2, is that its planning witness conceded that this would not provide a strong reason for refusing the development, certainly not objections strong enough to engage NPPF Footnote 7 that would preclude the site from being Green Belt (as I set out in paragraph 4 above). This is acknowledged in the Council's Closing Submissions (paragraph 35).
36. That said, it is still necessary for me to conduct the balance set out in NPPF paragraph 215: to weigh the less than substantial harm to heritage assets against the public benefits of the proposal, noting that such benefits could be anything that delivers economic, social or environmental objectives as described in the NPPF<sup>6</sup>.
37. It is agreed between the main parties that there would be less than substantial harm to the significance of the Grade II\* St Peter & St Paul's Church and the Grade II Folly at Redwood, by reason of harm to their settings from the proposed development. The Council considers such harm to be at the low to moderate end of the scale, although I note that Surrey's Historic Buildings Officer considered it to be at the low end of the scale, and the appellant considers it to be at the low or lowest end. These differences between the parties are slight.

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<sup>5</sup> *Barnwell Manor Wind Energy Ltd v E. Northants DC, English Heritage, National Trust & SSCLG* ([2014]

<sup>6</sup> As set out in paragraph 18a-020-20190723 of the PPG

38. Turning first to the Church, there is no doubt that there would be a glimpsed view of the IRC building through trees from the lychgate and cemetery of the church above the roof of Beechcoft Cottage on the other side of Church Hill. This is clearly shown on the photomontage from Viewpoint 19 (Figure 32 D in the LVA). That view is in winter with no leaves on the trees. Obviously, when the trees are in leaf this view would be far less prominent. Nonetheless, the IRC building 130m from the Church will adversely affect this view of woodland and open countryside.
39. However, and with reference to the Church's listing description, its setting is not the most important aspect of its significance as a listed building. Its historic fabric dating from medieval times and later historic additions and alterations to that over the years, as well as its fine Burne-Jones stained glass windows, are more important in my opinion.
40. The churchyard with its handsome mature trees is charming, a small rural idyll, but the view of the Church in that churchyard and cemetery is best appreciated coming down Church Hill, a view that would be largely unaffected by the IRC building.
41. I also disagree with the Council heritage witness's assessment of the historic mapping of the area. The woodland on the appeal site behind Beechcoft Cottage exists as a result of restorative tree planting on the former Fullers Earth quarry and works site and far from being historic, is relatively recent, as the historic maps in her Proof show. PROW 571 is a recent footpath that follows the previous main route to the Fullers Earth Works building. The appeal site is not therefore the 'last piece' of the historic rural setting of the Church; it was a former industrial quarry site.
42. In regard to the Folly Tower, its history is important. It was built by the Crawleys, the family who operated the Fuller's Earth Works, within Well House, the property where they lived on the High Street, which still exists next door (with a new name). It was built in 1858 to show off local stone from another enterprise they owned in Surrey.
43. The woodland on the appeal site forms part of its northern setting and the nearest part of the IRC building would only be 110m away from it. But since it was built its physical context has substantially changed. Right next to it a residential outbuilding has been built as well as a recent covered swimming pool in the neighbour's garden to the north. These structures are between the Folly Tower and the appeal site and have far more effect on its setting than the IRC building, which would be largely separated from it by existing woodland and further new tree planting. Hence, the impact of the IRC building on its setting would be minimal.
44. Moreover, it is very hard to see the Folly Tower from the High Street because of Redwood, a modern block of flats built in front of it in the former garden of Well House. As such, it has no meaningful setting with the High Street, only with the garden land that surrounds it and with the woodland of the appeal site to the north, which I have addressed above.
45. As set out above in relation to the Church, the Folly Tower's historic backdrop would have been onto a mineral working site, not the current woodland. But this woodland will be retained and strengthened and hence its setting to the north will remain largely unchanged.

46. For all the above reasons I consider that the proposed IRC development would result in only a low level of less than substantial harm.
47. Nonetheless, ‘*great weight*’ (as set out in NPPF paragraph 212) or ‘*considerable importance and weight*’ should be given to these heritage assets’ conservation and therefore to even such a low level of harm.
48. However, the Council’s planning witness conceded<sup>7</sup> that the limited heritage harm that would arise to the setting of these two listed buildings would not outweigh the public benefits of the proposed development. Although I address these benefits in more detail in the planning balance below, that in effect is the end of the matter in terms of the heritage balance, because the Council accepts that the development would meet the heritage balance test in NPPF paragraph 215. It also mirrors the Council’s concession that heritage harm would not provide a strong reason for refusing the development, and certainly not any harm significant enough to engage NPPF Footnote 7 that would preclude the site from being Grey Belt.
49. In terms of TDLP Policy DP20, this states: ‘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.*’ Time was spent in the Inquiry and text is devoted in the parties’ Closings as to whether Policy DP20 in respect of the underlined words above make this policy more restrictive and therefore inconsistent than extant NPPF policy in paragraph 215. Whether or not that is the case is irrelevant. Even assuming that DP20 is consistent with paragraph 215, the public benefits of the proposal (as set out below) would significantly outweigh the above low level of less than substantial harm to these two listed buildings such that planning permission should (exceptionally) be granted. Consequently, there would be compliance with Policy DP20.

#### Any Other Harm

50. The Council’s case raises harm to the character of Nutfield, visual harm to users of local PROWs, and loss of openness to this part of the Green Belt including loss of woodland trees.
51. The proposed development would increase the extent of the village northward, as the twentieth century housing development at Park Works Road, Parkwood Road and Blacklands Meadow has done. Whilst development would be extended further to the north than those residential streets, I can see no objection to that, bearing in mind that loss of spatial openness is not an issue here given I have found that the development would not be inappropriate in the Green Belt. Whilst some trees would be removed to secure space for the development, Table 2 of the Arboricultural Assessment (the AA, CD1.4) makes clear that nearly all the Category A (High Quality and Value) trees would be retained and relatively few of the Category B (Moderate Quality/Value) trees would be removed. Many new trees would be planted as shown on the plans attached to the AA, which would more than make up for the loss of mainly Category C (Low Quality/Value) trees.
52. As I’ve set out above, the overriding design principle of the scheme is to use the predominantly open spaced areas within the woodland on the southern parts of the site, the areas previously mainly used for the mineral workings, to locate the three new residential enclaves of development, leaving the more open downward and

<sup>7</sup> During X-X on Day 2, pm

northward facing parts of the appeal site as enhanced POS. Combined with the new bunding and woodland planting of it to the north of Park Wood Hamlet, all the new development, bar glimpses of it through trees in the winter, will be effectively screened from the ridge of the National Landscape to the north of the M25 and from the users of the PROWs on the northern part of the site, in particular PROWs 195, 624, 572, 621 and 616.

53. I acknowledge that PROWs 568, 571 and 192 running through and adjacent to Park Wood Hamlet and the footpaths running on the western edge of the main housing area at Green Park West would run right next to new housing. But they would also be close to retained woodland and would link to the wide and expanded footpath network on the POS in the northern part of the site, which would be available not only to the scheme's residents but to all residents in the locality. So, whilst there would be limited and highly localised impacts on these PROWs adjacent to the new housing at the southern part of the appeal site, I consider, on balance, that there would be overall benefits for users of the local PROWs and permissive footpath users on the northern part of the appeal site.
54. It seems to me that the proposed development has therefore been carefully considered and thought through: to use those parts of the appeal site scarred by previous mineral workings for the new residential development; to retain and strengthen the restorative woodland planting to date; to extend such planting; to screen as much as possible the new residential development located contiguously with existing development in Nutfield from the more open northern areas of the site that are subject to wider views from the Surrey Hills National Landscape; and to retain and strengthen that northern part of the site, its PROWs and other permissive paths for POS.
55. In summary, there would be no significant harm to the character of Nutfield, no significant visual harm to users of the PROWs, and no significant loss of woodland trees. For these reasons I consider that the development scheme would *'integrate effectively with its surroundings, reinforcing local distinctiveness and landscape character'* and would *'reflect and respect the character, setting and local context'*, and therefore comply with TDLP Policies DP7 and CSP18 (of the Tandridge District Core Strategy) respectively.

### The Planning Balance

56. I have found that the proposed scheme would not be inappropriate development in the Green Belt, nor would it result in any significant harm to the local landscape, the character of Nutfield, or the loss of important woodland trees. The only harm arising from it would be a low level of less than substantial harm to the nearest two listed buildings.
57. Against this sole low level of harm, to which I must give great weight, are the public benefits of the proposed development. These benefits comprise market, affordable, self/custom build and Class C2 (care) housing, economic benefits, POS, BNG, the DDRT public transport offer, the footway and NCR21 cycleway improvements, and compliance with the Green Belt Golden Rules.
58. The Council does not dispute these benefits of the scheme. The only difference between the main parties is the weight to be attributed to them. It was somewhat unclear as to whether they were adopting the same weighting scale. For the

avoidance of doubt, the scale I adopt regarding these benefits is (in descending order): very substantial, substantial, significant, moderate, limited, and no weight.

59. I attach **very substantial** weight to the market and affordable housing (AH) for the following reasons:

- The Council recognises that such Grey Belt sites within the Green Belt will inevitably need to be developed, given that 94% of the District's land area is Green Belt. Tandridge 's Green Belt has never been altered despite pressing housing needs over many years.
- There is currently no plan-led mechanism to allocate any of this land for housing, nor will there be for years to come (July 2028 at the very earliest), especially given current regional/local government reorganisation in Surrey: the scheduled creation of the two unitary Councils of East Surrey and West Surrey, scheduled for 1 April 2027. Consequently, to meet the housing needs of the District now, there is no option but to deliver housing through the development management process in the short to medium term in Tandridge – through schemes like this.
- The site is only 3km from Redhill/Reigate, one of the largest towns in Surrey, especially given my above conclusion that the site would be in a sustainable location.
- The Council's Core Strategy's housing requirement was predicated on the long-abolished figures from the South East Plan, which were themselves significantly below the recognised need for new housing as far back as 2004. Consequently, the Council's spatial strategy and the policies in the Core Strategy that flow from it (particularly Policy CSP2) are out-of-date and attract limited weight. Conversely, the development would be sustainable, in accordance with TDLP Policy DP1.
- The Council agreed at the Inquiry that housing under-delivery in Tandridge is persistent, chronic and extremely serious. It has failed the Housing Delivery Test (of 75%) every year in which that has been measured, its latest score being 42%, one of the worst performers in the country. There has been a shortfall of 4,696 new homes just in the last 5 years alone. The Council's 2022 Interim Policy Statement for Housing Delivery has had no significant effect in improving housing delivery since its adoption.
- There is only, at best, a 1.97 year housing supply in Tandridge. This would equate to a shortfall in excess of 3,000 homes over the next 5 years.
- The Council's attempts in 2019 to update its Core Strategy and adopt a new local plan were set aside as unsound in 2024 after the examining Inspector found that its predicated housing requirement figure was only a fraction of the true objectively assessed housing need figure. That plan was withdrawn by the Council.
- There is an acute AH need. There has been a shortfall in delivery of thousands of affordable homes in recent years. The housing register has almost 2,000 households on it, and those on it wait years for a home. Over the last 7 years, 85% of affordable needs have gone unmet. The cumulative

total of affordable homes delivered in that period is 381 dwellings, less than the 391 homes needed for just one year.

- This is in a District where those on lower quartile incomes now need nearly 15 times their annual income to buy a home, one of the highest figures in the country. Addressing the AH shortfall in the next 5 years would require 749 affordable homes a year, in contrast to the current delivery rate of just 117 homes a year. Unusually for an Inquiry, Ms Hubbard, a young mother (who brought her baby with her), attended the event to make her personal case for more AH in the area, which was a clear example of real and pressing need for such housing.
- The scheme would deliver 50% AH (103 units), far above Policy CSP4's 34% requirement and 1% more than is required by the Green Belt Golden Rules, with a tenure split of 75% affordable/social rent and 25% shared ownership. In a single permission, the appeal scheme would provide more AH than has been delivered net across the District in all but 1 of the last 7 years.

60. I attach **substantial** weight to the Class C2 and self/custom build housing provision for the following reasons:

- The scheme would deliver 41 extra care units and a 70+ bed care home.
- There are significant benefits in co-locating such different C2 uses since over time the amount of care that residents need will inevitably increase, which they can make use of without having to move – a significant personal benefit for elderly residents, including by way of avoiding splitting up aging couples.
- PPG states that providing housing for older people is critical, especially given the significant quantitative and qualitative need for such in Tandridge currently. The provision of such also contributes towards releasing under-occupied Class C3 homes in the area. The care home would also provide local employment in a sustainable location.
- In terms of self/custom build units, the Self-build and Custom Housebuilding Act 2015 requires local authorities to grant permission for enough serviced plots to meet the demand for such. The Council accepts that it is breach of this statutory duty, it hasn't undertaken a robust assessment of demand for such units, and that it has no policies for securing them.
- There is substantial unmet demand for such units, in the order of more than 1,000 plots. There are more than 50 people who have registered with one online provider for a plot in Nutfield Parish alone. That contrasts with only 4 plots (a mere 3% of the need) being granted since the start of the register in 2016. That means that the 8 plots that would be provided through the scheme would amount to twice as many plots as have been consented in the whole District in the last 10 years combined.
- The only way to address this unmet need is through windfall sites like this, given there is no local plan policy to address this need, nor will there be shortly, nor is there any pipeline of sites to deliver such plots.

61. I attach **significant** weight to all the other benefits (economic benefits, POS, BNG, the DDRT public transport offer, the footway and NCR21 cycleway improvements, and compliance with the Green Belt Golden Rules) for the following reasons:
- The economic benefits would involve sustaining 110 net additional jobs and some £7M of spend in the local economy, all in a locationally sustainable location.
  - There would be a 22% BNG, more than the 10% statutory requirement, which does not even apply to this scheme. The proposal is for some 50ha of POS to be put to biodiversity and wildlife enhancements, including wetlands, wildflower meadows and new scrub and wood planting, all fully funded for 30 years. This would benefit all local residents.
  - The proposal would deliver an enhanced public transfer offer by securing the extension of the DDRT, the demand responsive bus service at a cost of £4M, which would benefit both new and existing residents of Nutfield (within a 5-mile radius of the site).
  - The footway and cycleway improvements to NCR21 and providing safer crossings over the A25 in the High Street would benefit all Nutfield's residents, not just those living in the development itself.
  - NPPF paragraph 158 states that compliance with the Golden Rules should be given significant weight in favour of the grant of permission.
62. There is no doubt that the sole low level of less than substantial harm to the designated heritage assets would clearly not significantly and demonstrably outweigh the above very substantial, substantial and significant benefits of the scheme. Consequently, the proposed development would meet the relevant standard planning balance test in NPPF paragraph 11d) ii). This is the relevant test, rather than the tilted balance in 11d) i), because I have found that the proposed scheme would not be inappropriate development in the Green Belt and because the LPA agrees that the heritage harm would not provide a strong reason for refusing the development.

### **Conditions**

63. The conditions in the Schedule below are agreed between the main parties. I agree that they all meet the tests for conditions in the NPPF and PPG and that they are necessary for the individual reasons appended to each of them.

### **Conclusion**

64. For the reasons given above the appeal should be allowed.

*Nick Fagan*

INSPECTOR

### **Schedule of Conditions**

1. The development hereby permitted shall start before the expiration of 3 years from the date of this permission or 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

2. Before any development hereby permitted starts:
  - a. Details of the appearance, landscaping, layout and scale reserved matters of any market and affordable housing, (hereinafter called, the market and affordable reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any market and affordable housing development begins and the development shall thereafter be carried out as approved.
  - b. Details of the appearance, landscaping, layout and scale reserved matters of any care, Class E(e) and F2(a) uses and IRC development, (hereinafter called, the care, class E(e) and F2(a) uses and IRC reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any care, class E(e) and F2(a) uses and IRC development begins and the development shall thereafter be carried out as approved.
  - c. Details of the appearance, landscaping, layout and scale reserved matters of any self-build or custom housebuilding plot (hereafter called the SBCH reserved matters), shall be submitted to and approved in writing by the Local Planning Authority before any development relating directly to that self-build and custom housebuilding plot begins and the self-build and custom housebuilding development shall be carried out as approved.

Details of the reserved matters shall be submitted in writing no later than 3 years from the date of this permission and shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004.

3. All applications for reserved matters shall be in accordance with the following plans:
  - PL 02 Land Use
  - PL 03 Access and Movement
  - PL 04 Green and Blue Infrastructure

- PL 05 Building Heights Plan

The development shall be carried out in broad accordance with the approved drawings. There shall be no variations from these approved drawings and documents without the written consent of the Local Planning Authority.

Reason: To ensure that the scheme proceeds as set out in the planning application and therefore remains in accordance with the Development Plan.

4. The approved development is to be carried out in accordance with a Phasing Plan which shall be submitted to the Local Planning Authority for approval prior to the commencement of any development. Thereafter, the development is to be carried out in accordance with the approved Phasing Plan.

Reason: To assist with the delivery of the scheme in accordance with the objectives of the NPPF 2024.

5. The reserved matters shall include full details of both hard and soft landscape works and these works shall be carried out as approved. The details shall include:
  - Proposed finished levels or contours
  - Means of enclosure
  - Details and location of bin storage areas
  - Car parking layouts
  - Other vehicle and pedestrian access and circulation areas
  - Hard surfacing materials
  - Minor artefacts and structures (e.g. Furniture, play equipment, refuse or other storage units, signs, lighting etc.).
  - Tree, shrub and hedgerow planting throughout the site to include [but not be limited to] tree lined streets

Details of soft landscape works shall include all proposed and retained trees, hedges and shrubs; ground preparation, planting specifications and ongoing maintenance, together with details of areas to be grass seeded or turfed. Planting schedules shall include details of species, plant sizes and proposed numbers/densities.

All new hard and soft landscaping shall be undertaken in accordance with the approved timetable that forms part of the details required to be submitted and approved.

Any trees or plants (including those retained as part of the development) which within a period of 5 years from the completion of the development die, are removed, or, in the opinion of the District Council, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Council gives written consent to any variation.

Reason: To ensure that the landscape and visual impact of the development is acceptable in accordance with Policies CSP16, CSP18 and CSP21 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014 and the NPPF.

6. The reserved matters shall include full details for the protection of existing trees and hedgerows in accordance with BS5837\* [Arboricultural Method Statement and Tree Protection Plan] and any specified measures shall be carried out as approved. These details shall include the following details:
- Full survey of all trees on site and those within influencing distance on adjacent sites in accordance with BS5837\*, with tree works proposals. All trees must be plotted on a site plan\*\*, clearly and accurately depicting trunk locations, root protection areas and canopy spreads.
  - A plan\* detailing all trees and hedgerows planned for retention and removal.
  - A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS 3998.
  - Site specific construction specifications to include installation of underground services/utilities and drainage, no dig surfacing for roads and pathways within any RPAs, level changes.
  - A Tree protection plan\*\* in accordance with BS5837\* detailing all methods of protection, including but not restricted to locations of construction exclusion zones, root protection areas, fit for purpose fencing and ground protection, service routes, works access space, material/machinery/waste storage and permanent & temporary hard surfaces.
  - Prestart meeting with a Tandridge District Council Tree Officer, to be arranged by the applicant and undertaken as approved.

All tree protection methods detailed in the approved Arboricultural Method Statement shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

\*Using the most recent revision of the Standard

\*\* Plans must be of a reasonable and appropriate scale to clearly illustrate all necessary details (unless otherwise agreed by the Local Planning Authority).

Reason: To prevent damage to trees in the interest of the visual amenities of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

7. The reserved matters shall include a suitable Tree Monitoring Program.

(a) Prior to the commencement of development (including ground works), the following shall be submitted to and approved by the Local Planning Authority: A tree monitoring program to include:

- i. Confirmation of who shall be the lead arboriculturist for the development.
- ii. Confirmation of the Site Manager, key personnel, their key responsibilities and contact details.
- iii. Details of induction procedures for all personnel in relation to Arboricultural matters.
- iv. A detailed timetable of events for arboricultural supervision concerning all tree protection measures within the approved Tree Protection Plan, including:
  - Prestart meeting with a Tandridge District Council Tree Officer, to be arranged by the applicant and undertaken as approved.
  - Initial implementation/installation of the tree protection measures
  - Final removal of the tree protection measures

(b) Within three months of first use of the development hereby approved, a report containing the following details shall be submitted to and approved by the Local Planning Authority:

- Results of each site visit by the lead arboriculturist with photos attached.
- Assessment of the retained and planted trees including any necessary remedial action as a result of damage incurred during construction

Reason: To prevent damage to trees in the interest of the visual amenities of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

8. No (further) trees or hedges shall be pruned, felled or uprooted during site preparation, construction and landscaping works [except as shown on the documents and plans hereby approved] without the prior written consent of the Local Planning Authority. Any retained trees or hedges which are removed, or which within a period of 5 years from the completion of the development die are removed, or, in the opinion of the Local Planning Authority, are dying, becoming diseased or damaged as a direct consequence of development related activity shall be replaced by plants of such size and species as may be agreed in writing with the Local Planning Authority.

Reason: To prevent damage to trees in the interest of the visual amenities of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

9. No development above ground level in a relevant phase shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

Reason: To enable the Local Planning Authority to exercise control over the type and colour of materials, so as to enhance the development and to ensure that the new works harmonise with the existing building in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7, DP20 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

10. No development shall take place in areas D1, D4, D5, D6, OS5, and IRC (SW extension only) as defined in the submitted document *SK 24 Components Plan*, 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.

Reason: To safeguard the archaeological interests of the site in accordance with Policy DP20 of the Tandridge Local Plan: Part 2: Detailed Policies 2014.

11. No development in a relevant phase other than demolition shall take place, until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved, in writing, by the local planning authority:

- i. A preliminary risk assessment which has identified: all previous uses potential contaminants, associated with those uses, a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
- ii. A site investigation scheme, based on the technical details and assessments hereby approved in MJCA scheme of gas monitoring and investigation reference HGH/NU/JRC/20064/01/CGMMS2 dated August 2024 with additional site investigations to suitably identify historical contamination as identified in the preliminary risk assessment i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- iii. The results of the site investigation shall be submitted and detailed risk assessment referred to in ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv. Prior to commencement of above ground construction, a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in iii) are complete and identifying any requirements for longer-term

monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: This condition is essential to ensure satisfactory amelioration of contaminated land, in accordance with Policy DP22 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

12. No occupation of any part of the permitted development / of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: This condition is essential to ensure satisfactory amelioration of contaminated land, in accordance with Policy DP22 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

13. If during development contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: This condition is essential to ensure satisfactory amelioration of contaminated land, in accordance with Policy DP22 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

14. A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 187 of the NPPF.

15. Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus, it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted to and approved by the local planning authority and shall be written in accordance with EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention, National Groundwater & Contaminated Land Centre Report NC/99/73". The development shall be carried out in accordance with the approved Piling Risk Assessment.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 187 of the National Planning Policy Framework.

16. No development in a relevant phase shall take place before 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.

The development shall thereafter be carried out in accordance with the approved surface water drainage scheme.

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 to comply with the NPPF.

17. Prior to first occupation of a relevant phase 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.

18. No development above ground level in a relevant phase shall take place until full details of the renewable energy scheme 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 approved scheme shall be implemented as approved.

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

19. 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.

Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users to comply with Policy DP5 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

20. Prior to the first occupation of a relevant phase 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 and 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.

Reason: To ensure the development does not prejudice highway safety and promotes sustainable transport' to comply with the NPPF.

21. 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 should include:

- 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-NUT-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 do not proceed, the Applicant shall work with the Highway Authority in order to identify a suitable alternative road safety improvements.

Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users to comply with Policy DP5 of the Tandridge Local Plan: Part 2 Detailed Policies 2014 and promotes sustainable transport to comply with the NPPF.

22. Prior to first occupation of a relevant phase, facilities for high quality secure, lit and covered parking of bicycles and the provision of a charging point with timer for e-bikes shall be 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.

Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users in order to comply with Policy DP5 of the Tandridge Local Plan: Part 2 Detailed Policies 2014 and promotes sustainable transport to comply with the NPPF.

23. The development for the relevant phase 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.

Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users to comply with Policy DP5 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

24. No development in a relevant phase 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:

- i. Parking for vehicles of site personnel, operatives and visitors.
- ii. Loading and unloading of plant and materials.
- iii. Storage of plant and materials.
- iv. Programme of works (including measures for traffic management).
- v. Provision of boundary hoarding behind any visibility zones.
- vi. HGV deliveries and hours of operation.
- vii. Vehicle routing.
- viii. Measures to prevent the deposit of materials on the highway.
- ix. Before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused.
- x. On-site turning for construction vehicles
- xi. Dust management plan.

Reason: To ensure the development does not prejudice highway safety nor cause inconvenience to other highway users or the amenity of neighbouring residents to comply with Policies DP5 and DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014 and the Surrey Local Transport Plan 4 (LTP4).

25. Prior to the commencement of development approved by the landscape reserved matters a Habitat Management and Monitoring Plan (HMMP) detailing how the

land will be managed over at least 30 years, prepared in accordance with the approved Biodiversity Gain Report, shall be submitted to and approved in writing by the Local Planning Authority.

The development shall only be undertaken in accordance with the approved Habitat Management and Monitoring Plan. The HMMP shall include, but not be limited to:

- a. Description and evaluation of features to be managed
- b. Ecological trends and constraints on site that might influence management
- c. Aims and objectives of management
- d. Appropriate management options for achieving aims and objectives
- e. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 30-year period)
- f. Details of the body or organisation responsible for implementation of the plan
- g. Ongoing monitoring and remedial measures
- h. Mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery
- i. Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The HMMP shall be adhered to throughout the period to which it applies.

Reason: In the interests of ecology and biodiversity and to secure significant on-site biodiversity net gain in accordance with Policy CSP17 of the Tandridge Core Strategy 2008 and Schedule 7A of the Town and Country Planning Act 1990.

26. Prior to the commencement of development in a relevant phase, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP should include, but not be limited to:

- a) Map showing the location of all ecological features
- b) Risk assessment of the potentially damaging construction activities
- c) Practical measures to avoid and reduce impacts during construction
- d) Location and timing of works to avoid harm to biodiversity features
- e) Responsible persons and lines of communication
- f) Use of protective fencing, exclusion barriers and warning signs.
- g) Hazel Dormouse Precautionary Method Statement
- h) Amphibian and Reptile Precautionary Method Statement.

i) Update badger walkover and survey.

Subsequently, the development shall only be undertaken in accordance with the approved CEMP, all measures set out within the approved CEMP shall be implemented prior to the first occupation of the dwellings (unless a phased implementation timetable has been agreed as part of the CEMP in which case the CEMP shall be fully implemented in full accordance with that phased implementation timetable) and retained at all times thereafter.

Reason: To ensure that the ecological interests of the site and any protected species are adequately safeguarded throughout the development, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

27. Prior to the commencement of development of a relevant phase, a detailed Bat Mitigation, Compensation and Enhancement Strategy shall be submitted to and approved in writing by the Local Planning Authority.

The strategy should include the following:

- Updated 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.

Once approved, the development shall be carried out fully in accordance with the submitted Strategy.

Reason: To ensure that the ecological interests of the site and any protected species are adequately safeguarded throughout the development, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

28. Prior to the commencement of development of a relevant phase, a Bird Mitigation and Enhancement Strategy shall be submitted to and approved in writing by the Local Planning Authority.

Once approved, the development shall be carried out fully in accordance with the submitted Strategy.

Reason: To ensure that the ecological interests of the site and any protected species are adequately safeguarded throughout the development, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

29. Prior to the commencement of development of a relevant phase, an Invertebrate Mitigation and Enhancement Strategy shall be submitted to and approved in writing by the Local Planning Authority.

Once approved, the development shall be carried out fully in accordance with the submitted Strategy.

Reason: To ensure that the ecological interests of the site and any protected species are adequately safeguarded throughout the development, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

30. No development of a relevant operational phase shall be occupied until a Sensitive Lighting Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Sensitive Lighting Management Plan shall thereafter be implemented and retained in accordance with the approved details.

Reason: To ensure that the ecological interests of the site and any protected species are adequately safeguarded throughout the development, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

31. No development shall start until details demonstrating how the development would satisfy the 20% reduction of carbon emissions through renewable resources have been submitted to and approved in writing by the Local Planning Authority. The renewable energy provision shall thereafter be implemented and retained in accordance with the approved details.

Reason: To ensure on-site renewable energy provision to enable the development to actively contribute to the reduction of carbon dioxide emissions in accordance with Policy CSP14 of the Tandridge District Core Strategy 2008.

32. Prior to first occupation of a relevant phase a noise report / scheme to ensure that the internal noise levels within the residential units will conform to the 'indoor ambient noise levels for dwellings guideline values' specified within BS8233:2014. 'Guidance on sound insulation and noise reduction for buildings', shall be submitted to and approved in writing by the Local Planning Authority. No residential units shall be occupied until the approved scheme is implemented.

Reason: To safeguard the amenity of future occupants to accord with Policy DP7 of the Tandridge Local Plan (Part 2) 2014.

33. The development hereby permitted shall deliver up to 166 residential dwellings (Use Class C3), up to 70 care home beds (Use Class C2), up to 41 extra care facility units (Use Class C2), and up to 1,500sqm of flexible healthcare and community floorspace (Use Classes F2(a) and E(e)).

Reason: To ensure that the proposed development would be of an acceptable scale and to limit impact on Green Belt openness. To comply with Policies CSP18 of Tandridge District Core Strategy (October 2008), and Policies DP10 and DP13 of the Local Plan Part 2: Detailed Policies 2014-2029 (July 2014).

## APPEARANCES

FOR THE APPELLANT: *Zack Simons KC & Odette Chalaby* (Landmark Chambers) instructed by Richard Henley of hgh Consulting called:

- *Andrew Josephs* of AJA, BA (Hons) – Heritage\*
- *David Bird* of ROVIA, BSc CEng MICE – Transport & Highways
- *Gary Holliday* of FPCR environment & design, BA (Hons) MPhil FLI – Landscape, Visual & Green Belt matters
- *Iain Warner* of Tetlow King, BSc (Hons) DipTP MRTPI – Older Persons Housing
- *James Stacey* of Tetlow King, BA (Hons) DipTP MRTPI – Affordable Housing
- *Andrew Moger* of Tetlow King, BA (Hons) MA MRTPI – Self & Custom-Build Housing
- *Richard Henley* of hgh, BA (Hons) TP B.PL MRTPI – Planning

FOR THE LOCAL PLANNING AUTHORITY: *James Neill* (Landmark Chambers) instructed by the Council's solicitor called:

- *Deborah Gardner* of DGC (Historic Buildings) Consultants Ltd, PG Dip Building Conservation MIHBC – Heritage\*
- *Peter Lee*, Planning Development Manager at TDC, BA Town & County Planning – Planning and all other matters

INTERESTED PARTIES: (who spoke either for (F) or against (A) the proposed development on Day 1 of the Inquiry):

- *Lauren Hubbard*, local resident – F
- *David Hedley*, local resident – F
- *Nick Roberts*, local resident – F
- *Ben Babbington* of Trilogy Land, Redhill – F
- *Naomi Edwards*, local resident – A
- *Charles Geoghegan*, Surrey care home & retirement home operator – F
- *Neil Pitcairn*, local resident and representative of other local residents & Nutfield Conservation Society – A

\* Heritage evidence was the subject of a Round Table Discussion (RTD) on the afternoon of Day 1 of the Inquiry. All the other topics were addressed by the normal process of EiC, X-X and Re-X.

**DOCUMENTS SUBMITTED AT THE INQUIRY OR AFTERWARDS** (in addition to those listed on CD13 in the Core Documents (CDs), all CDs to be available via the TDC website until the end of the challenge period):

1. S106 dated 27 March 2026
2. Appellant's Summary Note of the Final Draft S106
3. The Council's CIL Compliance Statement
4. Outline Method Statement for Ground Gas Monitoring, August 2024
5. The Council's Opening Statement
6. The Appellant's Opening Statement
7. Draft SI 2026 No?: The Surrey (Structural Changes) Order 2026
8. The Council's Closing Submissions
9. The Appellant's Closing Submissions