

# Chelsham and Farleigh Parish Council

E-mail: [clerk@chelsham-farleigh-pc.org.uk](mailto:clerk@chelsham-farleigh-pc.org.uk)

Local Plan  
Planning Policy  
Tandridge District Council  
Council Offices  
8 Station Road  
Oxted  
RH8 0BT

By e-mail to: [localplan@tandridge.gov.uk](mailto:localplan@tandridge.gov.uk) and by hand to the council offices on 26 February.

26 February 2016

Dear Sir,

## **Representations in relation to the Local Plan Consultation**

Chelsham and Farleigh Parish Council appreciates the opportunity and has considered carefully the documents you have posted for consultation. It wishes to offer the following comments:

### **Part 1. Overarching Comment**

1. The parish council wishes to make it clear that it supports and has subscribed to the collective representation from a number of parish councils and other conservation and resident organisations in the form of the 92 page document entitled "Collective Regulation 18 Representation" and would be grateful if the District Council considers the comments in that paper to be an integral part of this letter in response to its consultation process.
2. **Specifically insofar as the OAN Housing is concerned the parish council feels, inter alia:**
  - 2.1. The OAN appears to have been compiled taking into account substantial unmet demand from adjacent councils' areas, which the parish council considers to be contrary to the requirements of the NPPF and therefore not properly reflecting the housing needs of Tandridge. The parish council feels that the number is therefore inflated artificially.
  - 2.2. It has been calculated using historical immigration numbers without recognising that these high immigration numbers were a result of one-off events which will not recur in the planning future. As such, the resultant number is artificially high.
  - 2.3. Tandridge appears not to be part of any Housing Market Area ("HMA"), and so no HMA data has been taken into account. The parish council thinks this is contrary to the requirements of the NPPF and NPPG, and suggests this may render the resultant number invalid as it stands.
  - 2.4. The resultant outcome of the OAN Housing, at 9,400 houses is considered by the parish council to be non representative of the local situation, wrongly calculated, far too large and not compliant with the NPPG. As such, the parish council feels the need to challenge the validity and acceptability of the resultant number.
  - 2.5. The parish council believes these points are made clear in NPPG, which states the following [emphasis is ours]

What is the definition of need?

Need for housing in the context of the guidance refers to the scale and mix of housing and the range of tenures that is likely to be needed **in the housing market area** over the plan period – and should cater for **the housing demand of the area** and identify the scale of housing supply necessary to meet that demand.

Need for all land uses should address both the total number of homes or quantity of economic development floorspace needed based on quantitative assessments, but **also on an understanding of the qualitative requirements of each market segment.**

**Assessing development needs should be proportionate and does not require local councils to consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur.**

Revision date: 06 03 2014

2.6. Please note that the parish council has attempted to answer the specific questions posed on Delivery Approaches, as requested. However, this should not be taken as a tacit acceptance of the OAN figure, against which all Delivery Approaches are being measured. The parish council was unable to find any facility to comment on the acceptability of the OAN Housing, and it considers this to be a shortcoming of the consultation invitation.

**3. Specifically insofar as the Issues and Objectives paper is concerned the parish council feels, inter alia:**

3.1. That the points listed as being the main Issues facing Tandridge are not representative of the true issues, that many are statements of fact and that others appear to be listing assets or qualities, that presumably should be preserved, and that others appear to be problems, presumably to be tackled. However, it is not clear which are considered by TDC to be which. This makes the logic of the plan difficult to follow.

3.2. Many of the issues are not supported by the Evidence Base, which would appear under the planning guidelines to render them inappropriate and unacceptable as Issues.

3.3. The Issues do not flow naturally into and do not translate properly into the listed Objectives.

3.4. The parish council feels that since the Issues are not properly supported by the Evidence Base, do not reflect the distinctive characteristics of Tandridge and do not reflect the priorities of the local residents, they fail to meet the requirements of paragraph 1 of the NPPF, and again this would appear to make them invalid.

3.5. As such, if the Issues are significantly flawed and the Objectives and Delivery Strategies flow from those Issues, then the foundation upon which the Plan is built must be flawed, making the Delivery Strategies unsupportable.

**4. Specifically insofar as the Green Belt Assessment Methodology is concerned the parish council feels, inter alia:**

4.1. The Green Belt Methodology has been examined by a leading Queens Council specialising in planning and in whose opinion the methodology is flawed. These shortcomings should be addressed and rectified or satisfactorily dismissed to make the

assessment acceptable, supportable or defensible.

- 4.2. One of the notable features of the Green Belt is its permanence and the parish council understands that a review by the local authority is not, of itself, sufficient reason for any changes to be made to the boundaries. The NPPF and case law make it clear that the fact that TDC may wish to build on parts of the Green Belt and may wish to conduct a review of its boundaries, is not sufficient cause, of itself, to change them. Something must have happened after the existing boundaries were set, before there can be any possible justification for seeking to change them. No such causes have been provided. The parish council acknowledges that at this stage no boundary changes are proposed but feels that such a very extensive project would not have been undertaken had it not been anticipated that changes may ensue, or at least be proposed.
- 4.3. Similarly, the parish council feels that to divide the existing Green Belt into “parcels” and to review them separately is to wrongly seek to look at small parts of the Green Belt to consider whether they may be re-designated and made available for building. The entirety of the existing Green Belt areas fulfil the purposes of the Green Belt (otherwise they would not have been so designated) and the parish council feels it is not acceptable to carve off small portions round the edges, thereby changing the boundaries without due cause (see 4.2 above).
- 4.4. The NPPF defines five purposes of the Green Belt that all have equal standing. The parish council feels is wrong for TDC to exclude any one of these in its proposed assessment.

## **Part 2. Specific comments on some of the consultative documents**

### **5. Green Belt Assessment Report**

#### *5.1. Section 4. Historic context of the Green Belt*

- 5.1.1. The footnote on page 13 says “Farleigh, Chelsham and Fickleshole are included as part of the Warlingham historic change assessment.” The parish council feels this will have created a false impression of a degree of change in the smaller settlements that is not representative. Warlingham has changed a great deal more than they have over the timespan considered.
- 5.1.2. Only on reading the entire section in appendix A does it become clear that the three small villages/hamlets named above remain “washed over” by the Green Belt. The parish council agrees with this designation.
- 5.1.3. A small request. It is necessary to refer to Appendix A for the details and it would be helpful to have an index on a 184 page document that is not compiled in alpha order. It is necessary to wade through to page 166 of the appendix (numbered as 221 in the overall document) in order to find the section on Warlingham. May we request an index please if similar documents are used in the next consultation round.

#### *5.2. Section 5. Strategic Green Belt Assessment Report*

- 5.2.1. The parish council agrees with the view in paragraph 5.10 that Strategic Area A is considered to be performing all of the four functions of the Green Belt, on which you have made judgements, at least satisfactorily and in two cases strongly. Presumably also the fifth purpose, since you appear to say that all Green Belt

areas perform function 5.

- 5.2.2. The parish council feels that it is difficult to describe the entirety of Area A as one area since the characteristics of the area vary widely across its area. Specifically, to say there “are some industrial estates” and “some of the area is slightly depleted” or “some of the open spaces are tired and overgrown” is to wrongly create a picture of an area that is rather run down. After all, we are talking about large sections of open countryside and not neatly tended suburban gardens. Besides, some of the parts are less well looked after than hitherto, partly because of budget cuts in the district and the county, both of which have duties to look after parts of it. We request that the overall description be changed to more properly reflect the divergent character of the area.
- 5.2.3. Notwithstanding these comments, the parish council hopes that in your further investigations you will conclude that the area is deserving of a strengthening of its Green Belt protection.

### 5.3. *Section 6. Parcels Assessment*

- 5.3.1. The parish council notes that the Green Belt has been divided into 47 “parcels” for separate consideration. The council is not sure that this is a valid methodology since it effectively cuts up existing Green Belt areas that have stood the test of time and creates the danger, or the facility, to erode parts of the Green Belt simply on the basis of a fresh assessment.
- 5.3.2. As has already been stated, the NPPF makes it clear that one of the essential features of the Green Belt is its permanence and case law (*Gallagher Estates v Solihull Ltd*) makes it clear that boundaries cannot simply be changed because a council feels it appropriate to conduct a review of its boundaries.

### 5.4. *Section 7. Settlements Assessment*

- 5.4.1. This section, at paragraph 7.9 on page 28 says “A summary of the relationship each settlement has with the Green Belt is outlined below. Detailed analysis is set out in Appendix E.”
- 5.4.2. Whilst there is indeed more detail in Appendix E, some settlements do not have their relationship outlined. For example Chelsham on page 34 is simply described thus “The settlement of Chelsham is low density, small and open in character.” This gives no inkling of how it is considered to relate to the Green Belt and leaves the reader unsure as to whether it is considered to be in a strong position or a weak one within the assessment process.
- 5.4.3. The parish council notes that the description of Chelsham is almost word for word the same as it is for both Farleigh and Ficklehole, both of which have conservation areas for which the Green Belt “plays an important role” and we request that Chelsham be considered in like fashion, despite the absence of a separate conservation area.

### 5.5. *Section 8. Areas for further investigation*

- 5.5.1. On pages 36 and 37 some further investigation areas are listed. Further Investigation areas 001, 2, 4 & 5 appear to be being examined to see if they need to be strengthened but area 003 appears to be challenged on whether it is actually effective in its performance of Green Belt functions.

5.5.2. The parish council believes that the area is wrongly described as Parkside Estate and Warlingham Estate and that it refers to what is now known as Great Park. This is a parkland estate of homes built on the site of Warlingham Park Hospital. The hospital predated the Green Belt and the permission to replace it with housing was taken by TDC circa 20 years ago, presumably sanctioning the change in what was already designated Green Belt.

5.5.3. The parish council feels it inappropriate to re-address that decision now.

5.6. *Section 9. Recommendations.*

5.6.1. The parish council was confused by the section 9 Recommendations.

5.6.2. Paragraph 8.1 (which follows paragraph 9.2 in section 9, further adding to the confusion) states that if one of the five functions of the Green Belt is effectively served, then no further investigation is required.

5.6.3. Paragraph 8.2 states that “a number of areas have been identified as areas for further investigation as they serve the Green Belt more effectively. Their importance should be recognised.” The parish council feels that this conflicts with paragraph 8.1.

5.6.4. Paragraph 8.3 goes on to state “additional work [will be carried out] within the areas of further investigation to determine why they serve the Green Belt less effectively.” The parish council feels that this conflicts with paragraph 8.2 and further confuses the picture that the recommendations seek to present.

5.6.5. In the reports on the actual parcels, some are simply identified for “further investigation” not making it at all clear whether this is because they are regarded as “more effective” as described in paragraph 8.2 or whether they are considered potentially “less effective” in terms of paragraph 8.3.

5.6.6. The parish council respectfully suggests that a reader would be greatly assisted in understanding the meaning of the report if it was clear whether a parcel was considered to be “more” or “less” effective in its assessed fulfilment of the purposes of the Green Belt.

5.6.7. We recognise that there is an explanation in the main GBA Report but nevertheless, when reading such extensive documents it is unnecessarily confusing not to know whether an area was so marked because it was considered to be strong or to be weak, nor to know why.

**6. Green Belt Assessment Appendix D: Parcel Assessments**  
**Specific comments on parcel GBA001**

6.1. Unfortunately the report on parcel GBA001 appears to be factually wrong. Paragraphs D.2.14, D.2.17, D.2.18 and D.2.24 make reference to a Caravan Park that does not exist in parcel GBA001.

6.2. There is however a Caravan Park in parcel GBA002 and we suggest that drafting errors have transposed the references from one parcel to another.

6.3. This appears to be confirmed by reference on page 38 of the GBA Report that describes “Area of Further Investigation 007” stating “Hamsey Green School and the Caravan Park

have been built up over the years”. The confusion is compounded by the numbering of the areas for further investigation being so similar to that of the parcels.

- 6.4. The fact that the Caravan Park is referred to in the Conclusion on parcel GBA001 (paragraph D.2.24) indicates that it has been taken into account in the assessment. In consequence, the council requests that the conclusion on parcel GBA001 be reconsidered and checked, based on correct factual information.
- 6.5. GBA001 is the front line in stopping the urban sprawl of London and as such was part of the first Green Belt, established in 1958 “to stop London’s sprawl and provide the lungs for the city”. At that time, 3 of the 5 purposes of the Green Belt were in place and it would be surprising therefore if these were not taken into account at that time. This parcel has stood the test of time over a period of 58 years of intensive development and expansion and as such reinforces the parish council’s view that parcel GBA001 should be regarded as sacrosanct and should be the subject of reinforcement, never threat.
- 6.6. This view appears to be supported by paragraph D.2.23 which states “GBA 001 meets the purposes of the Green Belt in differing ways. The parcel is largely free from development, which shows how the Green Belt here has effectively safeguarded the countryside from encroachment. The fact that the parcel sits at the boundary with the London boroughs of Croydon and Bromley yet has not succumbed to the conurbation of development that spreads southward from the capital is testament to its successes at preventing urban sprawl and this should be further investigated.”
- 6.7. The parish council would like to think that this “further examination” is to consider how it may be strengthened further and not to consider whether it should be weakened.
- 6.8. The parish council would be much more relaxed on this issue if it could be sure of the meaning of the narrative in paragraph 8.5 on page 36 of the Green Belt Assessment Report 2015, which states in relation to this parcel, “As set out in the assessment on Strategic Area A, parcels to the north of the District within the Green Belt have an effective role in continuing to guard against sprawl from London. The Green Belt between Selsdon / New Addington / Warlingham is extremely effective and positively deviant from the purposes of the Green Belt. To identify if this area should be given greater protection or whether it really is fulfilling this purpose strongly, it has been identified as an area for further investigation.”
- 6.9. The council respectfully requests clarification as to whether this means the area will be more strongly protected against incursion.

## **7. Green Belt Assessment Appendix D: Parcel Assessments** **Specific comments on parcels GBA002, GBA007, GBA008 and GBA009**

- 7.1. The parish council requests similar clarification in respect of parcel GBA008, as well as the adjacent parcels GBA002, GBA007 and GBA009.

## **8. Specific comments on the HELAAs**

- 8.1. Although none of the sites identified are actually inside the boundary of the parish, the parish council feels the need to comment on some of those within the neighbouring parish of Warlingham.
- 8.2. There are four areas that are of great concern to the parish council, **WAR 008, 011, 018 and 022**. These collectively form a large rectangular area of land, comprising some 38.5 hectares.

- 8.3. The parish council suggests that they are particularly unsuitable for housing on the following grounds, applying equally to any and all of them:
- 8.3.1. The area in question has already been identified, under the GBA to form very important cushions between the neighbouring settlements of Warlingham and the villages/hamlets of Chelsham and Farleigh. Page 36 of the GBA Report states “The thin strip between the small inset of Warlingham and the large built up area of Warlingham is of particular importance. A reduction in this gap would compromise the separation of the settlements.” Building on this area would eliminate the strip described above.
  - 8.3.2. Similarly, these areas would effectively bridge the gap between the main part of Warlingham and the village of Chelsham, also described in the GBA Report as performing essential purposes of the Green Belt. Building here would effectively join Chelsham to Warlingham.
  - 8.3.3. Despite not yet having evaluated any infrastructure needs, it is already apparent that the northeastern and southeastern boundary roads, Chelsham Road and Harrow Road are already at or beyond their traffic capacity because of roadside parking and there is no practicable means of widening these roads.
  - 8.3.4. Part of the land identified, especially the part designated WAR 018 is the natural draining point for many square kilometres of farm land to the east of it. Ledgers Road becomes a stream whenever there is heavy rain and it all drains naturally to the junction with Harrow Road and thence is designed to flow into the adjacent field, which is its natural draining point.

### **Part 3. Answers to your specific questions**

#### **9. Question 1. What do you think about the Issues?**

- 9.1. The parish council thinks that too many of the 73 Issues listed are not actually Issues as such. Many are statements of fact and appear to be assets to be preserved yet others are presumably seen as problems but are not defined as such.
- 9.2. We found it difficult to see how they were all supported by the evidence base, as we believe they ought to be.
- 9.3. We disagree with many of the statements and are unable to support them as Issues upon which the Plan should be founded.
- 9.4. At 73, we consider the number to be too high for proper consideration as major issues and note that this contrasts with something in the teens of Issues in the current Core Strategy/Local Plan.

#### **10. Question 2. What do you think about the Objectives?**

- 10.1. The parish council thinks that that Objectives do not flow naturally from the Issues as identified and as such may be inappropriate.
- 10.2. It does not feel able to comment further until the Issues are more representative and are defined as Issues rather than statements, as many are, some listing assets and some listing possible problems.

**11. Question 3. What do you think about the Council's vision for the next 20 years?**

11.1. The parish council feels that the vision is splendid but fails to see how it would be delivered by the Plan as outlined at this early stage.

**12. Question 4. What do you think about the Delivery Strategy Approaches?**

12.1. The parish council feels it is difficult to answer the questions as posed since the answers will all be judged against what it believes to be a false premise, that there is a valid OAN for 9,400 new homes over the next 20 years.

12.2. Notwithstanding the above, without it being taken as a tacit acceptance of the OAN number, and of the choices as provided, the parish council favours **only** Delivery Strategy Approach 2A.

12.3. All other choices are so non representative of the real need and would have such a seriously detrimental impact on the character of Tandridge as to make them unacceptable, with the conceivable exception of Approach 6, a new settlement or large urban extension. However, since there is no detail at all on Approach 6 it is impossible at this stage to express a view in favour of that approach.

**13. Question 5. What do you think about the Policy Approaches?**

13.1. The parish council was only able to identify 15 Policy Approaches, not the 16 referred to.

13.2. Notwithstanding this, the council found that on many of the Policies, there were no Approaches, the District Council feeling that it was too early to have formulated them.

13.3. Perhaps one of the most relevant is Housing, since the main thrust of the draft Plan, as presented, appears to be related to the promulgated need for 9,400 new homes, and yet there are no Approaches, the District Council stating that it cannot formulate any until the consultation is complete.

13.4. The parish council feels there is a degree of circularity here that makes it difficult to comment.

**14. Question 6. Do you have any other comments?**

14.1. The parish council has already commented above on some of the main technical assessment papers, as invited.

14.2. On the process of the consultation, the parish council feels that the documents, collectively 68 of them comprised of some 3,600 pages, made it a difficult task to assimilate and understand what was being presented. Notwithstanding that a new Local Plan is deserving of a great deal of time and effort by all who are being consulted, the parish council found the task to be made more difficult by the disjointed presentation of the documents and the fact that it found it difficult to "join up the dots".

14.3. The parish council acknowledges that this may be a function of its lay approach and inexperience of such technical matters but it feels the presentation, especially relating to the links between some key documents, might have been easier to handle, had it been rather more transparent and the descriptions of documents more uniform.

14.4. The parish council hopes to find the next round of consultation, Regulation 19, easier to assimilate and it looks forward to the opportunity to offer its views at that time.

The parish council appreciates this opportunity to comment and asks that the District Council take its views into account in the next stage of the preparation of the Local Plan.

Yours faithfully,

*Michelle Richards*

Clerk to Chelsham and Farleigh Parish Council