

CALA HOMES (SOUTH HOME COUNTIES) LTD

APP/M3645/W/24/3345915

LAND AT CHICHELE ROAD, OXTED, TANDRIDGE

PROOF OF EVIDENCE – LANDSCAPE AND VISUAL MATTERS

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PROJECT Land at Chichele Road, Oxted, Tandridge

REPORT TITLE Proof of Evidence – Landscape and Visual Matters

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1. QUALIFICATIONS AND APPOINTMENT

- 1.1 My name is Paul Gibbs. I am Managing Director of David Jarvis Associates Limited (DJA), a practice of Planners, Urban Designers, Environmental Assessors and Landscape Architects established in 1982. I have worked at DJA since 1994 and was made a Director in 2007.
- 1.2 I have a Diploma in Landscape Architecture (1994) and was made a Member of The Landscape Institute in 1998. I also have a Diploma in Urban Design (2007).
- 1.3 DJA has worked throughout the UK and Ireland, Continental Europe, the Caribbean and the Middle East ranging from national strategic planning, mineral planning and design to landscape assessment and detailed site-based design.
- 1.4 The majority of my work is related to residential development and mineral extraction at all scales. I have been involved in Inquiry work for many years and have appeared as an expert witness on landscape matters for both developers and local authorities.
- 1.5 The evidence which I have prepared and provide in this Proof of Evidence for this Appeal, reference Appeal APP/M3645/W/24/3345915, is true and I confirm that the opinions expressed are my true and professional opinions.

2. SCOPE AND STRUCTURE

Introduction

- 2.1 DJA was first approached by CALA Homes (South Home Counties) Ltd with regard to the site in April 2023. DJA was involved in the recent refused application advising on landscape matters. I was asked to act as an expert witness in February 2024.
- 2.2 The refused planning application TA/2023/1345 which is the subject of this Appeal was submitted in full included a detailed housing and landscape design, a Design and Access Statement and an LVIA. The application proposed the following:

“Proposed residential development 116 Dwellings (Class C3) including affordable housing with associated access, car parking, soft landscaping and play provision.”

- 2.3 My Proof of Evidence should be read in conjunction with the figures D1-D6 which are listed in this proof on the contents page. My evidence should be read in conjunction evidence of Mr Slatford and Mr Whittingham.

Scope of Evidence

- 2.4 Tandridge District Council (TDC) gave seven reasons for refusing the application. This Proof of Evidence addresses RfR 1, 4 and 5:

- 1. The proposed residential development represents inappropriate development in the Green Belt that would result in significant harm to openness both spatially and visually. The proposed development would also result in significant other planning harm in that it would have an urbanising effect upon and fail to conserve and enhance the setting of the Surrey Hills National Landscape defined in the development plan and would fail to safeguard the open countryside from encroachment and would not be seen to check the sprawl of large built-up areas. Very special circumstances do not exist to override the very substantial weight that must be afforded to the harm to the Green Belt and other harm resulting from the proposal. As such, the proposed development is contrary to policy CSP20 of the Tandridge District Core Strategy 2008 and policies DP10 and DP13 of the Tandridge Local Plan Part 2: Detailed Policies (2014) and paragraphs 152, 153 and 182 of the NPPF (2023).**
- 4. The application site is sensitive in terms of its proximity to the National Landscape and Ancient Woodland. The proposed development would by reason of its siting and form and appearance adversely impact upon the character and distinctiveness of the landscape and countryside of the site and wider area and significantly detract from the overall character**

and appearance of the area. As such, the proposed development would be contrary to the provisions of Tandridge Core Strategy 2008, Policy CSP21 and Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP7.

- 5. The proposed development by reason of its siting , form and appearance would result in harm to the Green Belt, the National Landscape, Ancient Woodland, open countryside and potentially biodiversity. The proposal therefore does not constitute’ sustainable development contrary to Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP1.**

2.5 This Proof of Evidence is structured as follows:

- In Section 3 I describe the site;
- In Section 4 I describe the proposed development;
- In Section 5 I review the planning context;
- In Section 6 I review the landscape context;
- In Section 7 I review the visual context;
- In Section 8 I address the openness of the Green Belt;
- In Section 9 I address the effect on the purposes of the Green Belt;
- In Section 10 I address the effect on the Surrey Hills National Landscape (and AGLV);
- In Section 11 I address the predicted effects on the landscape character and the appearance of area
- In section 12 I address the Reasons for Refusal;
- In Section 13 I address the comments of the Rule 6 party; and
- In Section 14 I draw my conclusions.

2.6 In preparing my evidence, I have reviewed a number of documents, the principal ones of which include the following:

- Application LVIA
- Consultation Responses
- Planning Proof of Evidence prepared by Mr Slatford.
- Appellant’s, Council’s and Rule 6 Parties Statements of Case
- Relevant published Green Belt related reports
- Design and Access Statement (Cooper Baillie)

- Planning Statement
- Application Soft Landscape Plans
- Relevant Planning Policies
- Statement of Common Ground (draft)
- Other documents but not necessarily referenced here

2.7 Where appropriate, I draw upon relevant information from these documents and seek to avoid unnecessarily repeating the same information and therefore I have summarised my analysis. I have also reviewed the LVIA as part of the suite of planning application documents. I have reviewed these documents and also assessed the scheme with reference to the LVIA viewpoints surrounding the site. Having reviewed the application LVIA, I understand the broad conclusions set out in that report as far as scale and nature of effect are concerned with regard to effects on landscape elements, landscape character and visual amenity.

3. DESCRIPTION OF THE SITE

- 3.1 The Site comprises one pastoral field totalling approximately 6.4 hectares located on the northern edge of Oxted.
- 3.2 A belt of ancient woodland forms the northern and western boundaries, with a well-developed hedgeline to the east and rear garden boundaries of properties along Chichele Road and a small copse to the southwest. The northern edge of the Oxted School site is defined by a security fence.
- 3.3 St Mary's C of E Primary School and grounds lies to the west, and Oxted School and grounds to the south east. Open farmland lies to the east.
- 3.4 There is a low ridge running northwards through the centre of the site, with the high point at around 117m AOD on the southern boundary, falling gently to the north to around 115m AOD on the northern boundary. The land drops from the ridge to around 111m AOD on the western boundary and to around 106m on the eastern boundary with the Oxted School site. The land rises slightly in the north east corner to around 110m AOD.
- 3.5 There are no Public Rights of Way within or providing access to the site. Footpath 75 The Greensand Way runs to the east beyond the eastern boundary, linking to the North Downs Way to the north of the M25 approximately 1km north of the site.
- 3.6 There are no trees or hedgerows within the site that are not associated with the boundaries.
- 3.7 At the time of writing the agricultural land management was to pasture.
- 3.8 The area of ancient woodland within the northern edge of the Site and much of the adjoining landscape to the north, east and west fall within the Surrey Hills National Landscape (SHNL) and Area of Greater Landscape Value (AGLV).

4. DESCRIPTION OF THE PROPOSALS

4.1 The planning application submitted to Tandridge District Council, which is the subject of this appeal (reference TA/2023/1345), is seeking full planning permission for 116 new homes, including 40% affordable homes and associated open space and infrastructure.

4.2 The dwellings will range from smaller (one-bedroom) apartments to larger (five-bedroom) detached houses. All residential dwellings are predominantly 2 storey housing, with intermittent single storey garages throughout the development, and the occasional use of 2.5 storey dwellings to terminate views and provide strong frontages. 2.5 storey apartment blocks have been located at the lowest points of the site to minimise effects on the wider landscape setting, see DAS¹ page 23.

4.3 The density for the development would equate to approximately 34.4 dph within the developed area of the site / 18.2dph based on the site area which is at the lower end of the density scale, which I consider appropriate for the site given its development context, being edge of settlement.

4.4 The description of development is as follows:

“Proposed residential development 116 Dwellings (Class C3) including affordable housing with associated access, car parking, soft landscaping and play provision.”

4.5 Of the total site area of 6.36ha, 1.712ha is proposed to be open space, incorporating a central LEAP play space and a LAP, and drainage infrastructure. The site would be accessed via a new junction on Chichele Road, with pedestrian / cycle access via Bluehouse Lane.

4.6 Further details of the proposed scheme are included in the Planning Statement and Design and Access Statement submitted with the application.

4.7 At 4.6 of the LPA SoC² a selection of design guidance documents is listed:

- Tandridge Parking Standards SPD (2012)
- Tandridge Trees and Soft Landscape SPD (2017)
- Surrey Hills AONB – Building Design into the Surrey Hills³

¹ CD 1.2

² CD 12.1

³ CD 9.1

- Surrey Hills AONB Management Plan 2020-2025⁴
- Surrey Design Guide (2002)⁵

4.8 Page 2 of “Building Design into the Surrey Hills” notes that the *“The aim of this leaflet is to encourage greater attention to the design of development within the Surrey Hills to ensure that its future as an Area of Outstanding Natural Beauty is not prejudiced.”*

4.9 The developed part of the site lies outside the SHNL.

4.10 The setting of the SHNL is mentioned once on page 5:

“Conserve the character of the setting – avoid development on skylines, prominent spurs and open slopes; make maximum use of existing trees and landscape features to shield development; new buildings adjacent to traditional ones should link through elements such as scale, form, colour and materials to create a larger group.”

4.11 The design of the site is not on the skyline, prominent spur or open slope, and retains existing trees and landscape features to shield the proposed development.

4.12 Policies P3 and P6 of the SHNL Management Plan read:

“P3 Development proposals will be required to be of high quality design, respecting local distinctiveness and complementary in form, setting, and scale with their surroundings, and should take any opportunities to enhance their setting.”

4.13 The Design and Access Statement identifies on pages 14-17 how the scheme has been developed to responds to site constraints and is informed by local distinctiveness, form, setting and scale.

“P6 Development that would spoil the setting of the AONB by harming public views into or from the AONB will be resisted.”

4.14 Mr Smith, the SHNL Planning adviser, stated in his response⁶ dated 2nd January 2024 that, with my underlining:

“In my view, the development would have little impact upon distant public landscape views from the AONB. The impact would be more localised. Further, should the development become capable of

⁴ CD 9.2

⁵ CD 9.3

⁶ CD 9.4

being publicly viewed from the existing AONB to a greater extent than the LVIA would suggest, it would be against the backdrop of the built up area. In this context it would be seen as being part of Oxted. For these reasons I find it difficult to substantiate that the development would harm public views into or from the AONB so as to spoil the setting of the AONB.”

- 4.15 In producing the scheme Cooper Bailie has had regard to “Surrey Design”. This includes site appraisal, layout and distinctive architectural character, and all of chapters 1-7 inclusive of principles.
- 4.16 §5.1 states that “Good design should encourage a mix of uses appropriate to the location.” The site does not contain a mix of uses but is well served by the nearby town centre and schools.
- 4.17 At 6.2 of the LPA SoC the National Design Guide is mentioned with particular reference to paragraphs 40, 49, 51 and 52. These matters are of a similar nature to SHNL Policy P3 addressed above.
- 4.18 The scheme has been designed to limit / mitigate impact upon the local area by:
- Retain and protect the area of Ancient Woodland
 - Providing a 15m buffer to the areas of ancient woodland
 - Keeping building heights to no more than 2.5 storeys
 - Observing the RPA of trees within the site, except to form the access
 - Pulling the development edge away from the eastern boundary to provide space for enhanced boundary planting
 - Retain the majority of trees around the site boundary which would frame the proposed residential neighbourhood
 - Tree planting within the scheme to soften the appearance of built-form and link the proposals to the surrounding landscape context
 - Additional hedge planting along the school boundary will help to improve the enclosure of the Site and screen the weldmesh fencing
 - Lighting will be designed to reduce light spill and therefore reduce impacts on night-time views of the Site

- The use of a sympathetic palette of materials and built-form will ensure that the scheme is consistent with the urban character of Oxted and will minimise impacts upon longer distance views.

4.19 The design of the scheme has been arrived at through the careful consideration of the constraints and opportunities presented by the site. The Ancient Woodland and boundary vegetation are protected, and the layout and heights of the buildings is informed by visual analysis to avoid any material visual effects on the wider landscape. The scheme designed by Cooper Baillie has been informed by the relevant design guidance, specifically Surrey Design. I consider the scheme to be an appropriate, well considered and high quality design.

4.20 I describe below the key areas of the scheme from a landscape design perspective:

Chichele Road entrance



Chichele Road entrance (Planning Layout CD 7.1)

- 4.21 The entrance from Chichele Road is proposed to the west of tree T70 which lies in the garden of Number 32. The entrance road runs along an existing agricultural access. The road has been designed with a footway on the southern side, and a narrowing part way along to allow the retention of trees T65-68. A specialist slab construction is proposed at the access and the narrowing to protect the RPA of the trees.
- 4.22 The existing boundary hedgerows to the north and south would be retained.
- 4.23 An entrance green containing a SuDS basin is proposed to the rear of number 32, overlooked by Plots 1 and 2, framed by tree planting.

Central greenspace



Central greenspace (Planning Layout CD 7.1)

- 4.24 The central greenspace lies along the western boundary, within the sweep of the primary street. This space would be managed as a mix of amenity grassland and species rich grassland, interspersed with trees and areas of shrub planting. An informal gravel path meanders through the space, providing pedestrian access to a Locally Equipped Area for Play (LEAP). The space is overlooked on three sides. A below ground attenuation tank is proposed between the LEAP and boundary tree planting. The existing boundary planting, some of which is Ancient Woodland, would be retained and undisturbed by the proposed development. No development is proposed within the 15m buffer of the Ancient Woodland.

Oxted School Boundary



Oxted School boundary (Planning Layout CD 7.1)

- 4.25 The boundary with Oxted School lies on the southeastern edge of the site. It is a linear greenspace retaining much of the existing vegetation, with the exception of small area to the east of the plots 52/53 and the pumping station. This space would be managed as a mix of amenity grassland and species rich grassland, interspersed with trees and areas of shrub planting with boundaries defined by hedges. A pedestrian route to Blocks A and B provides access to a Local Area for Play (LAP), which is overlooked by the apartment buildings.

Woodland edge



Woodland edge (Planning Layout CD 7.1)

- 4.26 The area of woodland within the application boundary on the northern edge of the site is Ancient Woodland and lies within the Surrey Hills National Landscape (SHNL).
- 4.27 An additional area of trees and scrub lies between the Ancient Woodland and the developed part of the site. The proposed dwellings, access drives and parking areas along the northern edge of the site all lie outside of the 15m buffer to the Ancient Woodland.
- 4.28 No development of any kind is proposed within either the Ancient Woodland / ancient woodland buffer or the SHNL.

Eastern boundary



Eastern boundary (Planning Layout CD 7.1)

- 4.29 The eastern edge of the site lies to the northern end of the Oxted School playing fields, with farmland to the east of the retained hedgerow. The land to the east is in part within the SHNL and wholly within the AGLV. This boundary would provide a strong permanent boundary to the SHNL.
- 4.30 The existing well developed hedge and treeline to the eastern boundary is proposed to be largely retained. A pedestrian connection to FP75 Greensand Way to the east is proposed which would require some limited removal of vegetation.
- 4.31 A SuDS basin lies to the south, separated from the school playing fields by a proposed hedge with scattered tree planting to reinforce the weakly defined boundary and provide screening of views into the school. This space would be managed as a mix of amenity grassland and species rich grassland, interspersed with trees and areas of shrub planting.

5. PLANNING CONTEXT

- 5.1 The appeal site has no relevant planning history. The site itself together with adjacent land has been considered by TDC in various studies both as part of the Green Belt and in landscape planning terms in the preparation of the now withdrawn Emerging Local Plan.

Tandridge Local Plan Adopted (July 2014)

- 5.2 As set out in the Core Strategy, the Green Belt in Tandridge is part of the Metropolitan Green Belt surrounding London, and constitutes around 94% of the District. The Tandridge Local Plan (2014) at 10.1 states that *“It is therefore important for the Council to carefully manage development in order to maintain the fundamental aim of keeping land permanently open. Without the Green Belt the outward spread of London would be uncontrolled, resulting in an expanding urban area and the coalescence of settlements.*

10.2 The Core Strategy acknowledges the importance of the Green Belt and proposes no changes to the current boundaries, unless sufficient land cannot be identified for housing within existing settlements. In this instance, growth will be directed to sustainable locations on land immediately adjoining built up areas i.e. which are currently within the Green Belt.”

- 5.3 The Appeal site is located in a sustainable location adjoining the built up area of Oxted.
- 5.4 Paragraph 10.3 notes that *“the classification of land as ‘Green Belt’ is a planning designation, rather than a description of the land itself and that Green Belt policy is primarily a ‘tool’ used to control urban development and maintain the openness of land around towns, as opposed to a countryside protection policy.”*

TDC Green Belt Assessment (December 2015)

- 5.5 The purpose of the Green Belt Assessment (GBA) was, amongst other aims, to assess Green Belt Areas at a local level and determines how effective they are at serving the four of the five Green Belt purposes as defined in the NPPF. The GBA divided all Green Belt land into parcels using roads, railways, or other physical features. This resulted in the delineation of 47 parcels.
- 5.6 The site falls within an area of Green Belt that lies between Oxted and the M25 defined by the railway line to the west and Titsey Road to the east is referred to as Parcel GBA0018 and is shown on an inset plan on page 366, figure D19.1. It notes in paragraph D19.1 that the parcel *“contains fields, recreation grounds and woodlands between the town and the M25.”* And at D19.2 that *“Whilst fencing and trees provide some screening, the built form of Oxted is still visible from the fields around it.”*

- 5.7 The assessment of Purpose a) to check the unrestricted sprawl of large built up areas states at D19.6 that the *“boundary line between the Green Belt and Oxted in the southern most areas of the parcel is drawn around residential gardens to the rear of dwellings, but also includes the open land that forms part of the grounds of Oxted School and St Mary’s Junior School. This forms a “wedge” of Green Belt land in-between the two already developed areas in the north west and north eastern parts of Oxted. This “wedge” is comprised of fields bordered on three sides by development from the town, with a row of trees to the north screening it from the fields beyond in the other parts of the parcel.”*
The wedge described above is the Appeal site.
- 5.8 The assessment concludes in paragraph D19.9 that *“The parcel sits adjacent to the urban area of Oxted, forming a buffer that prevents the town from expanding further north.”* And that the *“parcel is therefore considered to be effective in checking urban sprawl from Oxted.”*
- 5.9 The assessment of Purpose b): to prevent neighbouring towns merging into one another, notes at D19.13 that *“the parcel only adjoins Oxted and Limpsfield, and other settlements are a considerable distance away, it does not act as a buffer between the merging of settlements.”*
- 5.10 The GBA concludes at D19.14 that parcel GBA018 *“is not considered to play a role in preventing the merging of settlements.”* I agree with this assessment.
- 5.11 The assessment of Purpose c): to assist in safeguarding the countryside from encroachment, and refers to Limpsfield Grange School which is the main development within the parcel to the east. The remainder of the parcel comprises open countryside, fields, recreation grounds, and woodland. It concludes at D19.20 that *“As the parcel has limited development and is almost entirely countryside, this parcel serves this purpose effectively.”*
- 5.12 The GBA assesses Purpose d): to preserve the setting and historic character of historic towns. The eastern corner of Parcel GBA018 borders a small part of the Conservation Area in the village of Limpsfield, although the wider setting of the Conservation Area is predominantly within adjacent parcel 019. It concludes that Parcel GBA018 is considered to play a moderate role in serving this purpose. The site is approximately 1km from the Conservation Area and is separated from it by the Park Road area of Oxted. As a result, the Conservation Area is excluded from study in the LVIA.
- 5.13 Purpose e) is not assessed. This is addressed at §97 of the Report on the Examination of the Tandridge District Council Our Local Plan: 2033.

“The assessments were made against the purposes of the Green Belt as set out in paragraph 80 of the NPPF, except for the purpose to assist in urban regeneration, by encouraging the recycling of

derelict and other urban land. The Council has in effect taken into account land within urban areas that could be developed in the Spatial Approaches Topic Paper in considering its approaches to delivery and all land in the Green Belt is effectively achieving this purpose to the same extent. It should therefore be scored in the same way. Consequently, the Council's approach of not specifically considering this purpose in the assessments is reasonable."

- 5.14 At D19.25 it concludes that most of the areas in the parcel make a strong contribution to preventing encroachment into the countryside and preventing urban sprawl, and there is also very little risk in this area of the Green Belt of settlement coalescence. D19.26 notes that the prominent feature of the central area is its general openness and absence of development outside of the urban area; although this effect is decreased between the "wedge" of Green Belt land that sits between the two neighbourhoods of Oxted due to the presence of development on three sides.
- 5.15 It is logical to conclude that within Tier 1 settlements, sites with development on four sides would be considered to be infill and the best option as far as Green Belt is concerned. The next best option is therefore sites which have development on three sides, such as the Appeal site. The extract of the TDC Adopted Planning Policies Map⁷ clearly shows that the Appeal site is bordered on three sides by the settlement boundary.

Tandridge Landscape Capacity and Sensitivity Study (October 2016)

- 5.16 The TDC Landscape Capacity and Sensitivity Study (LCSS) was produced by Hankinson Duckett Associates (HDA) on behalf of Tandridge District Council. Its role was to examine the landscape context of the district and the landscape capacity of a series of sites which had been promoted for development through the Housing and Economic Land Availability Assessment (HELAA) and Economic Needs Assessment (ENA).
- 5.17 The area approximating to the Appeal site is referenced OXT006. The accompanying plan on page 124 shows no constraints with regard to this land parcel and indicates containment along the western boundary where it abuts Oxted School. I take this to mean the existing tree / hedge line.
- 5.18 The TLCSS notes that *"to the north this site is bounded by ancient woodland, and there is boundary vegetation around the site. The sloping nature of the site however means that there is intervisibility with the AONB and views in from surrounding buildings."*, and that *"there is intervisibility with the AONB to the north of the site. The AONB is particularly sensitive to change."*

⁷ CD 4.3

- 5.19 Overall, the visual sensitivity is judged to be substantial. The assessment at page 125 notes that *“there is intervisibility with the AONB throughout the site”*. This is inaccurate; views of the AONB from the northern parts of the site are restricted by existing woodland.
- 5.20 The TLCSS concludes that *“with moderate sensitivity and value, site OXT006 is judged to have a medium landscape capacity for housing development. The site would potentially be suitable in landscape terms for limited housing proposals, but would need to take into consideration views and the sites contribution to the setting of the surrounding landscape, including the AONB, and demonstrate no adverse impacts on the setting of the existing landscape and settlement. Other evidence relevant to the site’s suitability for development should also be considered.”*
- 5.21 Despite the inaccurate assessment of intervisibility with the SHNL, I agree with this conclusion with regard to medium landscape capacity.
- 5.22 The visual analysis undertaken as part of this evidence concludes that in all viewpoints where the site and proposed development would be visible, it would be seen in the context of the settlement of Oxted.

Green Belt Assessment (Part 3 Appendix 1) (2018)

- 5.23 This document addresses a number of land parcels for further review to ascertain which sites demonstrate the exceptional circumstances that could justify release from the Green Belt. The approximate area of the Appeal site is again identified as OXT006. GBA3 makes an assessment on the basis of the development of 150 dwellings, significantly more than the 116 dwellings proposed by the appeal scheme.
- 5.24 GBA3 notes that the site is located on the edge of a sustainable settlement, and that, given the Green Belt in this location, the site serves two purposes of preventing sprawl and safeguarding from encroachment. It also notes that OXT006 will continue to serve these purposes, in particular if no robust and defensible edge can be identified.
- 5.25 Despite the conclusion that the site would serve two purposes of the Green Belt, TDC now suggest at 8.3 of their SoC⁸ that the site *“currently plays a role in supporting purposes (a), (b), (c) and (e) of the Green Belt”*. This inconsistency is not explained.
- 5.26 GBA3 notes under other evidence base considerations, that the site has a moderate sensitivity and value, it is judged to have a medium landscape capacity for housing development, taking into

⁸ CD 12.1

consideration views and the site’s contribution to the setting of the surrounding landscape, including the SHNL and demonstrate no adverse impacts on the setting of the existing landscape and settlement. It would also need to be a form of new development proposals closely related to and in scale with the existing adjacent settlement that complied with the LCA guidance to conserve and enhance the landscape setting to villages and edge of settlement.

- 5.27 Under the heading ‘Discussion’, GBA3 notes housing development on the site would deliver 150 dwellings and that the site is considered suitable for development from a landscape and ecology perspective, subject to mitigation measures.
- 5.28 It considers that that development of the site would impact on the ability of this site to serve two of the Green Belt purposes, ie preventing sprawl and safeguarding from encroachment and would result in the loss of openness, although the severity of this effect is unqualified. It goes on to state that the impact of development *“could be minimised by siting development in the most visually contained section of the site, in addition to using sensitive design, buffers and landscaping but considers that given its scale, even with all these measures, its impact would still be significant. Furthermore, as no robust and defensible boundary has been identified it would impact upon the wider Green Belt’s ability to continue to serve these purposes.”*
- 5.29 Despite this assessment and the potential for mitigation TDC conclude that *“as a matter of planning judgement, that this site does not justify the exceptional circumstances necessary to recommend amendment of the Green Belt boundary.”*

6. LANDSCAPE CONTEXT

- 6.1 The Appeal site, prevailing landscape character of the area, and visual baseline are described in the LVIA⁹.
- 6.2 The methodology used can be found at Appendix 2 of the LVIA.
- 6.3 I have visited the Appeal site and surrounding area and agree with the descriptions as written.
- 6.4 The Appeal site has not changed to any significant extent since the preparation of the LVIA that accompanied the application.
- 6.5 The Appeal site lies within the GV4 Merstham to Clacket Lane Greensand Valley LCA as defined by the Surrey Landscape Character Assessment¹⁰. Refer to **Figure D2**. It is described as:

“The Merstham to Clacket Lane Greensand Valley is a broad character area running east-west in the eastern part of the county, between the chalk ridge to the north and more wooded greensand hills to the south. It is defined by the underlying geology, degree of woodland cover and the edges of Built Up Areas. The boundary follows settlement edges, and other recognisable features such as woodland, roads and field boundaries. Northern section at the eastern end of the character area is within the Surrey Hills AONB.”

- 6.6 The key characteristics are defined as being as follows. Those characteristics that are exhibited within the study area are shown underlined:
- *Underlain by Folkestone Formation Sandstone, with areas of Gault Formation Mudstone to the north.*
 - *Undulating landform, rising up to meet the chalk ridge scarp to the north and wooded greensand hills to the south.*
 - *The predominant land use consists of medium-large scale, open arable fields, but there is a mixture of other uses including, generally smaller pastoral fields, large scale sand quarry workings, golf courses, road and motorway corridors and settlement.*
 - *Blocks of woodland occur across the character area, with more substantial areas of woodland to the west of Oxted. Hedgerows line field boundaries, but are limited in some places with larger arable fields. Smaller parcels of land associated with settlement often have good tree cover.*

⁹ CD 1.11

¹⁰ CD 5.8

There is ancient woodland, the size and occurrence increasing at the eastern end of the character area.

- *Northerly views from the character area include the chalk ridge scarp.*
- *The M25 motorway runs along the length of the northern edge of the character area. Junctions 6, 7 and the Clacket Lane services, of the M25 are located within the character area. A limited number of roads, including the A25 and rural lanes cross the character area.*
- *A comprehensive network of public rights of way criss-cross every part of the character area, including the Tandridge Border Path, Greensand Way and Vanguard Way Recreational Paths and the North Downs National Trail.*
- *The character area includes the village of Godstone and settlements such as Merstham, and wraps around Oxted and Bletchingley. Elsewhere, there are isolated dwellings and farmsteads, with settlement becoming more limited at the eastern end of the character area. Merstham is a linear, low density settlement designated as a Conservation Area, and is encircled by motorway, road and rail routes at the north-west corner of the character area.*
- *There are a number of other Conservation Areas, including Pendell Court and Place Farm and Brewer Street, at the western end of the character area, and Godstone in the centre of the character area. The character area includes a small area of registered common land at Clacket Common in the eastern end of the character area, a few scheduled monuments, and part of the historic park/garden at Titsey Place.*
- *There are a number of small woodland areas designated as Sites of Nature Conservation Importance. A few larger blocks of woodland are designated as Sites of Special Scientific Interest, around Titsey Woods.*
- *Relatively rural landscape, with tranquilly and remoteness varying across the Character Area due to the degree of urban influence from settlement and roads.*

6.7 Those characteristics that are exhibited within the site are that it is comprised of one of the generally smaller pastoral fields, hedgerows line the field boundaries, Ancient Woodland is present in the northern and western edges of the site, northerly views from the site include the chalk ridge scarp and tranquillity is reduced to a degree as a result of urban influence from settlement and roads. It is characteristic of the LCA.

6.8 Field surveys carried out in May and September 2023 confirmed that the Study Area is broadly consistent with the LCA character description. There are no characteristics of the site that are not typical of the LCA locally, as described above.

6.9 The published landscape character assessment for the above area does not define sensitivities for these landscapes.

6.10 The part of Surrey County Council (SCC) Local Character Area ‘GV4 Merstham to Clacket Lane Greensand Valley’ within the study area lies almost entirely within the SHNL – a landscape designation indicating a highly valued landscape. As such, the character area is considered to be of high value. The urbanising influence of settlements and roads (including the M25) are noted in the key characteristics of the character area description. Consequently, the susceptibility to the type of change proposed has been judged as medium, resulting in a medium/high sensitivity.

6.11 The wider study area includes the CR3 Box Hill to Tatsfield Chalk Ridge LCA as defined by the Surrey Landscape Character Assessment¹¹. Refer to **Figure D2**. It is described as:

“The Box Hill to Tatsfield Chalk Ridge is a narrow scarp slope. The aspect of the slope varies, but overall it is south facing. The boundary of the character area broadly coincides with the change from chalk to greensand to the south, and by the top of the scarp slope. For very short stretches the character area immediately abuts Reigate to the south, and Caterham to the north. The character area lies within the Surrey Hills AONB.”

6.12 The key characteristics are defined as being as follows. Those characteristics that are exhibited are shown underlined:

- *A steep chalk scarp slope to the south of the elevated North Downs to the north.*
- *Based on a number of chalk formations, including the Holywell Nodular Chalk Formation and New Pit Chalk Formation.*
- *The eastern and western parts of the slope are heavily wooded, and include some areas of ancient woodland. Occasional small scale, irregular shaped fields of pasture with thick hedgerows and tree belts, including Ash and Field Maple The central section of the character area, north of Redhill, has more open, larger scale, arable fields, with more limited areas of woodland.*
- *Sloping landform affords wide views over the greensand hills to the south, including expansive views from Reigate Hill, and provides a dramatic backdrop to landscape to the south.*
- *The North Downs Way National Trail runs along the length of the character area, alternating between the foot and top of the scarp, and connects with a number of other rights of way which*

¹¹ CD 5.8

cross the character area, including the Greensand Way Recreational Path. Nearby car parks aid recreational use.

- *A number of lanes weave across the character area, and the M25 motorway runs roughly parallel to the ridge along most of its length within the character area. The M25 and M23 both cut across the scarp slope toward the middle of the character area, north of Redhill.*
- *There is limited settlement, which includes isolated farmsteads, and occasional hamlets including part of Merstham Village Conservation Area in the west.*
- *A series of larger adjacent settlements including Dorking, Reigate Redhill and Godstone and Oxted follow in parallel to the line to the south of the scarp. The character area also touches the edge of Caterham north of Godstone. The presence of these larger urban areas are apparent from a number of vantage points along the chalk scarp.*
- *The character area includes part of historic Lower Gatton Park and part of Titsey Place Park. A number of scheduled monuments are also present including Reigate Fort, War Coppice Hill Fort and lime kilns, such as at Oxted chalkpit.*
- *A combination of Sites of Special Scientific Interest, Sites of Nature Conservation Importance, and Special Areas of Conservation cover a large portion of the character area. There is also a Local Nature Reserve at Hill Park near Tatsfield at the eastern end of the character area.*
- *A rural, unsettled, dramatic landscape with peacefulness and tranquillity aided by woodland cover. The sense of tranquillity is reduced slightly towards the middle of the character area due to the visually intrusive motorway intersection and a reduction in woodland cover.*

6.13 Field surveys carried out in May and September 2023 confirmed that the Study Area is broadly consistent with the LCA character description. There are no characteristics of the site that are not typical of the LCA locally, as described above.

6.14 SCC Local Character Area ‘CR3 Box Hill to Tatsfield Chalk Ridge’ lies entirely within the SHNL – a landscape designation indicating a highly valued landscape. As such, the character area is considered to be of high value. A key characteristic of the landscape character area is that it is adjacent to a number of larger settlements, which are visible from a number of vantage points. Consequently, the susceptibility to type the change proposed has been judged as medium, resulting in a medium/high sensitivity.

Landscape Value

6.15 Landscape value relates to the value or importance society attaches to a landscape or view, which expresses national or local consensus and because of its quality, special qualities, cultural associations

or ecological status. Institute of Environmental Management and Assessment ('IEMA')/LI guidance identifies a number of reasons why a landscape may be valued:

Landscape condition: a measure of the physical state of the landscape. It may include the extent to which typical character is represented in individual areas, the intactness of the landscape and the condition of individual elements;

Scenic quality: the term used to describe landscapes that appeal primarily to the visual senses;

Rarity: the presence of rare features or elements in the landscape, or the presence of a rare landscape character type;

Representativeness: whether the landscape contains a particular character and/or features or elements which are considered particularly important examples;

Conservation interests: the presence of features of particular wildlife, earth science or archaeological, historical and cultural interest can add to the value of a landscape as well as having value in their own right;

Recreation value: evidence that the landscape is valued for recreational activity where experience of the landscape is important;

Perceptual aspects: a landscape may be valued for its perceptual qualities, notably wildness and/or tranquillity; and

Associations: some landscapes are associated with particular people, such as artists or writers, or events in history that contribute to perceptions of the natural beauty of the area.

6.16 Assessment of landscape value has been based on consideration of:

- Landscape designation i.e. National Landscapes;
- Nature conservation designation i.e. Site of Special Scientific Interest (SSSI);
- Published literature relating to local cultural heritage, recreation and tourism;
- Published landscape assessment; and
- The inter-relationship of the above.

Local Landscape Condition

- 6.17 The condition of the Site is typical of arable farmland in the area.
- 6.18 Ancient woodland to the north contributes to the value of the Site whilst overlooking from residential properties and fencing associated with adjacent schools detract from it.
- 6.19 The value and sensitivity for the Site were assessed as both being moderate in the Tandridge Landscape Capacity Study. This equates to a **medium** value and **sensitivity** (therefore susceptibility must also be medium) to the proposed change.

Scenic Quality

- 6.20 The scenic quality within the area is highly variable ranging from areas with national designations for their scenic quality through to commercial and infrastructure uses.
- 6.21 The Site and its immediate surroundings are undulating, rising to the chalk ridge of the SHNL to the north. They are pleasant and rural but with numerous small areas of woodland to draw the eye. Distant views of SHNL and Limpsfield Common are attractive features but visibility is limited by hedgerows and woodland.
- 6.22 The southern part of the Study Area is generally urban in character, with a wide range of architectural styles with limited attractive features.
- 6.23 The northern part of the Study Area rises up the chalk ridge and is generally rural and more open in character. This offers attractive long distance views in many places, enhanced by areas of mature woodland and a robust hedgerow network. Detractors within these views include the M25 motorway and the urban area of Oxted. Much of this area is designated as National Landscape.
- 6.24 The Study Area is predominantly attractive in nature, resulting its scenic quality being assessed as having high value. Detractors such as the M25 and existing urban areas are noticeable in most views within the Study Area. Therefore, the susceptibility to the type of change proposed is considered to be medium. This results in a **medium/high sensitivity**.

Tranquillity

- 6.25 The M25 is one of the busiest motorways in Europe detracting significantly from the tranquillity of the Study Area. Blocks of woodland within the Study Area have very localised affects in attenuating the sound and result in significant variations in tranquillity, even over short distances.

- 6.26 The Oxted railway line is a busy commuter route with around 5 to 6 trains per hour off-peak and up to 10 trains per hour at peak times. As with the M25, the effect of this on tranquillity is variable and highly localised.
- 6.27 A primary and a secondary school adjoin the Site and are periodic sources of noise during operation. They also result in periodically high levels of traffic on local roads.
- 6.28 The southern part of the Study Area is predominantly urban, with Oxted one of the main service towns within the district.
- 6.29 The remainder of the study is rural and is intersected by only small country lanes and is generally tranquil where not affected by the above detractors.
- 6.30 Due to influence of existing detractors, tranquillity is considered to be of medium/low value and susceptibility to the nature of change proposed and therefore **medium/low sensitivity**.

Rarity Value

- 6.31 There are no rare features or elements within the Site. This is therefore excluded from further assessment.

Landscape Designations

- 6.32 Landscape designations within the Study Area are indicated on **Figure D3**.
- 6.33 The northernmost part of the Site comprises designated Ancient & Semi-Natural Woodland. This national designation is both ecological and landscape based in nature: with only the latter considered in this chapter. As a landscape receptor, Ancient & Semi-Natural Woodland is considered an irreplaceable habitat that contributes significantly to local character. As such, it is considered highly valued. Its susceptibility to the type of change is assessed on whether the type of change proposed would impact upon its ability to contribute to the local character. Its western boundary is that of the urban edge of Oxted, with other boundaries open to fields. As such it is considered to be of medium susceptibility to the type of change proposed, and therefore of **medium/high sensitivity**.
- 6.34 There are a number of other small areas of Ancient & Semi-Natural Woodland within the Study Area. These are separated from the Site through a combination of vegetation, topography and built-form and so are excluded from further assessment.
- 6.35 The area of Ancient & Semi-Natural woodland within the Site is also designated as part of the SHNL, which also covers the majority of the Study Area. The developed area of the site is neither within the

SHNL, AGLV or the Ancient Woodland. This is a national designation given to highly valued landscapes. One of the characteristics of the SHNL are views of settlements. Therefore, the susceptibility of the SHNL to the type of changed proposed is considered to be medium resulting in a **medium/high sensitivity**.

6.36 The Surrey Hills Area of Great Landscape Value (AGLV) within the Study Area is almost entirely coincident with the SHNL. This is a county-level designation given to highly valued landscapes. As with SHNL, views of settlements are part of the receptor's character and susceptibility is assessed as medium giving a **medium/high sensitivity**.

6.37 There are four tree preservation orders (TPOs) within the Site boundary. TPOs are made where it is: *"expedient in the interests of amenity to make provision for the preservation of trees or woodlands"*

6.38 Though enjoying statutory protection, there is no definition of amenity or how it should be valued. The four TPOs are as follows:

1. 7/2013/TAN covering the Ancient & Semi-Natural Woodland described in 6.35. As it is the same receptor as the Ancient & Semi-Natural Woodland and valued for the same reasons, it is considered to be of the same value (high), susceptibility (medium) and sensitivity (**medium/high**) as described previously.
2. 8/2013/TAN covering a single tree located approximately at the middle of the eastern Site boundary. This tree is not prominent within the wider landscape and therefore its value is local in nature. It is considered to be of medium value. It is a hedgerow tree adjacent to an existing urban area and is therefore considered to be low susceptibility to the type of change proposed, resulting in a **medium/low sensitivity**.
3. 5/2013/TAN covering two trees on the northern edge of the main Site entrance. These trees are not prominent within the wider landscape and therefore their value is local in nature. They are considered to be of medium value. They are hedgerow trees within an urban area and are therefore considered to be low susceptibility to the type of change proposed, resulting in a **medium/low sensitivity**.
4. 5/2013/TAN covering a single tree on the southern edge of the main Site entrance. This tree is prominent within the immediate street scene but not within the wider landscape and therefore its value is local in nature. It is considered to be of medium value. It is a specimen

tree within a curtilage of residential property within the urban area and is therefore considered to be low susceptibility to the type of change proposed. resulting in a **medium/low sensitivity**.

Cultural Heritage

6.39 Cultural heritage designations are indicated on **Figure D3**.

6.40 There is one registered park within the Study Area: Titsey Place. As nationally designated heritage asset it considered to be of high value. The rural setting and outlook of the park contribute to its value and it is therefore considered highly susceptible to the nature of change proposed, resulting in a **high sensitivity**.

6.41 There are two Scheduled Monuments within the Study Area:

- Remains of Roman villa, Titsey Park: approximately 1,310m north-east from the Site boundary; and
- Romano-Celtic temple and Roman road at Church Field, 150m north of Church Wood: approximately 2,880 m north-east from the Site boundary.

6.42 These are separated by a combination of vegetation, topography and built-form and so are excluded from further assessment.

6.43 There is one Conservation Area within the Study Area: Limpsfield. It is located approximately 770m east of the site. This is separated from the Site by the built form of Oxted and so is excluded from further assessment.

6.44 There are a number of listed buildings within the Study Area. These are national designations and their value is considered dependent on their grade. For the purposes of this chapter:

- Grade I: High Value
- Grade II*: Medium/High Value
- Grade II: Medium Value

6.45 The nearest listed buildings are:

- ‘Church of All Saints’, Grade II on Bluehouse Lane, Oxted
- ‘United Reformed Church and Attached Walls’ Grade II on Bluehouse Lane, Oxted

- 6.46 These are located within the urban area of Oxted and therefore considered to have **medium** susceptibility and therefore sensitivity to the type of change proposed.
- 6.47 There are 10 Grade II and 1 Grade II* buildings associated with or nearby Titsey Place. These are separated by a combination of vegetation, topography and built-form and so are excluded from further assessment.
- 6.48 ‘Ratcatchers Cottage’ is Grade II and located approximately 710m south east of the Site on Westerham Road, Oxted. It is separated from the Site by the built form of Oxted and so is excluded from further assessment.
- 6.49 ‘Hookwood House’ is Grade II and located approximately 1.3km east of the Site on Sandy Lane, Limpsfield. It is separated from the Site by the built forms of both Oxted and Limpsfield and so is excluded from further assessment.
- 6.50 The remaining 16 are within the Limpsfield Conservation Area comprising: 2 Grade I, 3 Grade II* and 11 Grade II listed buildings. They are separated from the Site by the built form of Oxted and so are excluded from further assessment.

Nature Conservation

- 6.51 Nature conservation designations are indicated on **Figure D3**.

Leisure and Tourism

- 6.52 With the exception of footpaths 76 to 78, Public Rights of Way (PROW) within the Study Area are rural in character and fall within the SHNL. A number form part of promoted routes, or intersect with them. These factors mean that users of PROW within the Study Area are primarily leisure users and therefore value the scenic quality of their surroundings and generally sensitive to development that would impact upon this. This forms the basis of the assessment of PROW, resulting in broadly three categories of sensitivity:
- 6.53 Those within the SHNL or on promoted routes are considered to be **highly sensitive**. Mr Whitingham’s concludes in his evidence that the results of a footpath survey for FP75, the PROW is considered to have a reasonable level of use.
- 6.54 Footpaths are 76 and 77 are fully within the urban area of Oxted. They are separated from the Site by the built form of Oxted and so excluded from further assessment.

- 6.55 Footpath 78 connects Oxted with Limpsfield across Glebe Meadow, which forms an important break between the two urban areas. It is separated from the Site by the built form of Oxted and so excluded from further assessment.
- 6.56 Taking into account a generally high level of landscape value of the study area and a medium level of susceptibility, the overall landscape sensitivity of the study area to the proposed development is high-medium¹².
- 6.57 Other than the area of ancient woodland that falls within the SHNL, the site is not the subject of any landscape quality designation, refer to **Figure D3**.

§180 Valued Landscape

- 6.58 I assess the developed part of the site in respect of §180a) of the Framework.
- 6.59 My assessment below is based upon Box 5.1 of GLVIA3¹³ and LI TGN 02/21¹⁴ and the outputs of the LVIA.
- 6.60 Landscape Quality (condition): The landscape of the Appeal site itself is in good condition consistent with the LCA, there are no detracting factors.
- 6.61 Scenic Quality: Scenic quality within the site is medium. There are some good quality trees around the boundary and the boundaries are well defined. Built form on the edge of the village around the Appeal site is a characteristic of the local landscape. Consequently, I assess scenic quality to be medium.
- 6.62 Rarity and Representativeness: The developed part of the site is not within the SHNL. As a result the rarity value of the site is low.
- 6.63 Conservation Interests: There are no heritage assets by designation on the developed part of the site or within the immediate area.
- 6.64 Recreation Value: There are no PROW within the site. Footpath 75, part of the Greensand Way, lies to the east of the site boundary. Other PROW exist within the study area including the North Downs Way, a promoted route. Other PROW exist in the wider landscape and on the scarp slope. Consequently, I assess the recreational value of the site to be low.

¹² CD 1.11 Table D4.1

¹³ CD 9.5

¹⁴ CD 9.6

- 6.65 Perceptual Aspects: The tranquillity of the Appeal site and the surrounding landscape is medium – low broken by the sound of traffic on the M25. This increases to the north toward the motorway.
- 6.66 Associations: I am not aware of any cultural associations with this landscape, nor are any alleged by NSC.
- 6.67 The Appeal site would be partially screened from view from many of the viewpoints assessed.
- 6.68 The majority of those viewpoints where the proposed development would be geographically limited, and would be within, on the boundary or in close proximity to the site. The proposed development would be seen in the context of the existing built edge of the village.
- 6.69 Whilst pleasant, the developed part of the site does not contain any features of specific value that raise the developed part of the site above that of mere countryside.
- 6.70 I therefore do not find that the developed area of the site to be a valued landscape as protected by §180a of the Framework.

Table 6.1 Landscape sensitivity

Receptor	Value	Susceptibility	Sensitivity	Rationale
General				
Surrey Landscape Character Area GV4 Merstham to Clacket Lane Greensand Valley	High	Medium	Medium/High	<ul style="list-style-type: none"> - Views of urban areas are an existing characteristic. - Almost entirely falls within an AONB.
Surrey Landscape Character Area CR3 Box Hill to Tatsfield Chalk Ridge	High	Medium	Medium/High	<ul style="list-style-type: none"> - Views of urban areas are an existing characteristic. - Predominantly within an AONB.
Local landscape Condition	Medium	Medium	Medium	<ul style="list-style-type: none"> - As per published capacity and sensitivity study.
Scenic Quality	High	Medium	Medium/High	<ul style="list-style-type: none"> - Views of urban areas are an existing characteristic. - Predominantly within an AONB.
Tranquillity	Medium	Low	Medium/Low	<ul style="list-style-type: none"> - Residential effects on tranquillity already present and less noticeable than other detractors. - A number of detractors reduce tranquillity (M25, rail, urban areas).
Landscape Designations				
Surrey Hills AONB	High	Medium	Medium/High	<ul style="list-style-type: none"> - Views of urban areas are an existing characteristic.

Receptor	Value	Susceptibility	Sensitivity	Rationale
				- National designation for quality of landscape.
Surrey Hills AGLV	High	Medium	Medium/High	- Views of urban areas are an existing characteristic. - Regional designation for quality of landscape.
Ancient Woodland within the Site	High	Medium	Medium/High	- Preexisting urban area adjacent. - National designation for irreplaceable habitat.
TPO 7/2013/TAN	High	Medium	Medium/High	- As per Ancient & Semi-Natural Woodland.
TPO 8/2013/TAN	Medium	Low	Medium/Low	- Already within urban area. - Local designation.
TPO 5/2013/TAN	Medium	Low	Medium/Low	- Already within urban area. - Local designation.
Cultural Heritage				
Registered Park & Garden: Titsey Place	High	High	High	- Rural setting important to value. - National designation for heritage value.
Grade II Listed Building: 'Church of All Saints', Oxted	Medium	Medium	Medium	- Already within urban area. - National designation for heritage value.
Grade II Listed Building: 'United Reformed Church and Attached Walls', Oxted	Medium	Medium	Medium	- Already within urban area. - National designation for heritage value.
Leisure and Tourism				
PROW within the AONB or on promoted routes	High	High	High	- Views and rural character intrinsic to value. - Leisure route within AONB.

7. VISUAL CONTEXT

- 7.1 The Appeal site, prevailing landscape character of the area, and visual baseline are described in the LVIA¹⁵.
- 7.2 I have visited the Appeal site and surrounding area and agree with the descriptions as written.
- 7.3 The methodology used can be found at Appendix 2 of the LVIA.
- 7.4 The Appeal site has not changed to any significant extent since the preparation of the LVIA that accompanied the application.
- 7.5 Viewpoint selection was informed by a computer model and subsequent Zone of Theoretical Visibility (ZTV) test. The ZTV identifies those areas where the proposed development may be visible can be found at **Figure D6**. The ZTV results for the Proposed Development were then assessed during field surveys to better define the actual extents of significant visibility, based upon consideration of whether the Proposed Development would likely draw the eye of the casual observer.
- 7.6 These areas informed the selection of the 13 viewpoint locations identified, refer to **Figure D6**.
- 7.7 Initial consultation on viewpoint selection and approach was sought with the Surrey Hills AONB Planning Advisor, Clive Smith in September 2023 but no response was received.

Visual Value

- 7.8 In order to determine the sensitivity of representative viewpoints the value of each view should be established. Viewpoints are valued in different ways depending upon the expectations of the viewer. The LI/IEMA guidelines currently provide examples of broad categories including recreation, residence, employment or passing through on roads or other modes of transport. The guidelines stress that these are only examples and that every project will require its own set of criteria and thresholds.
- 7.9 Visual receptor value criteria are set out in the methodology found at Appendix 2 of the LVIA.

Visual Susceptibility

- 7.10 The degree by which a visual receptor is judged to be sensitive however also depends on the actual quality of the existing view and its susceptibility to change. Accordingly, when the sensitivity to the

¹⁵ CD 1.11

change actually being proposed is assessed, matters such as the context and extent of existing view as well as the proximity of the receptor to the Proposed Development need to be considered.

7.11 An example could be provided by two identical residential properties. The occupier of property A could have open views across a National Park while B may overlook heavy industrial areas on the urban fringe. Whilst both parties could be regarded as inherently highly sensitive to visual change the actual situation would be that the occupier of property A would be regarded as highly sensitive to change relative to built development in the context of the view, whilst the party at property B as of medium or low sensitivity.

7.12 Visual receptor susceptibility criteria are set out in the methodology found at Appendix 2 of the LVIA.

Visual Sensitivity

7.13 To determine the sensitivity of the representative visual receptors the value of each should be considered in relation to its susceptibility. The sensitivity matrix and sensitivity criteria are set out in in the methodology found at Appendix 2 of the LVIA. The sensitivity of each representative viewpoint is explained in the table below, with the value, susceptibility shown for the most sensitive receptor at that viewpoint shown.

7.14 Visual receptor sensitivity was assessed with respect to the type of development proposed.

7.15 Three receptors were considered representative of residential receptors. Generally, it is considered that residential receptors are of low value and high susceptibility, resulting in a medium sensitivity.

7.16 Four receptors were considered representative of users of local roads. As these locations were also representative of more sensitive receptors, the values for the more sensitive receptors are shown below.

7.17 Ten receptors were considered representative of users of PROWs. As rural PROWs (many of which are promoted) within a National Landscape these are considered to be highly sensitive to the type change proposed.

7.18 The presence of the SHNL designation attaches an inherently high value to views and visual amenity. Exceptions to this are rare but do occur, mainly in locations where high scenic quality is not a significant component of the view and/or due to the presence of exposed unsympathetic built development.

7.19 Other than the area of ancient woodland that falls within the SHNL, the site is not the subject of any landscape quality designation, refer to **Figure D3**.

View point	Description	Receptor Type			Value	Susceptibility	Sensitivity	Sensitivity Rationale
		Residential	Road	PROW				
1	View from Public Footpath 75			●	High	High	High	<ul style="list-style-type: none"> - Rural character part of value - View from AONB
2	View from Public Footpath 75			●	High	High	High	
3	View from Public Footpath 75			●	High	High	High	
4	View from National Trail 'North Downs Way', promoted route 'Vanguard Way' and Public Footpath 575			●	High	High	High	
5	View from National Trail 'North Downs Way', promoted route 'Vanguard Way' and Public Footpath 575			●	High	High	High	
6	View from National Trail 'North Downs Way', promoted route 'Vanguard Way' and Public Footpath 575			●	High	High	High	
7	View from Public Footpath 75			●	High	High	High	
8	View from promoted route 'Vanguard Way' and Public Footpath 94			●	High	High	High	
9	View from National Trails 'North Downs Way' and Public Footpath 573		●	●	High	High	High	
10	View from National Trails 'North Downs Way' and Public Footpath 117			●	High	High	High	
11	View from residential road Greenacres, Oxted	●	●		Low	High	Medium	<ul style="list-style-type: none"> - Valued by receptor only - Residential receptors highly susceptible to new development
12	View of Site entrance from Chichele Road, Oxted	●	●		Low	High	Medium	
13	View from residential road Bluehouse Lane, Oxted	●	●		Low	High	Medium	

8. OPENNESS OF THE GREEN BELT

8.1 The site lies within the Green Belt.

8.2 Paragraph 137 of the Framework states that:

‘the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence’.

8.3 Planning Practice Guidance (Green Belt - GOV.UK16 (www.gov.uk) states that:

“...openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;

Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- the degree of activity likely to be generated, such as traffic generation.”*

8.4 I consider each aspect in turn as they relate to the Appeal proposals.

Spatial aspect

8.5 The site is defined by school boundaries to the eastern and western edges, often associated with dense planting; residential development and education facilities lie to the south and south west, with varying degrees of built form and enclosure; and dense woodland to the northern boundary. The various elements of built form all exert an urbanising influence on the site. This lends the more southerly parts of the site a feel of urban fringe, edge of settlement character. The robust enclosure provided by the woodland to the north, east and west associate the site more strongly with the adjoining settlement edge than the open farmland to the north and east of the site. The introduction of the proposed residential development would inevitably introduce built form and reduce the spatial aspect associated with the site, although this reduction in spatial openness would only be

¹⁶ Paragraph: 001 Reference ID: 64-001-20190722

appreciated from locations in the immediate environs of the site which are highly localised. Where the change is experienced, there would be a moderate degree of harm.

Visual aspect

- 8.6 In terms of the visual perception of openness, there is already a strong sense of visual enclosure associated with the site. This is due to the substantial presence of boundary planting, and existing development which surrounds the site. With the vast majority of the boundary vegetation remaining in place, this aspect of strong enclosure would remain with the proposed residential development in place. The proposed development would be well contained within the landscape and screened from view save for those viewpoints that are in close proximity to the site boundary around VP1. The surrounding area has a largely intact landscape structure and areas of woodland which limit visibility, even from the higher ground, see **Illustrative Photomontages Appendix D4.1-D4.4** of the LVIA¹⁷.
- 8.7 There are no PROW within the site, so there is no lost opportunity to gain an appreciation of the openness associated with the site.
- 8.8 Local views from the west are limited to VP 11 and 12.
- 8.9 There are no views of the site from public highways with the exception of the at the access on Chichele Road, see **VP12 and Illustrative Photomontages D4.2** of the LVIA. The view along the proposed access is currently overgrown and an open view of the site is not possible. Once development is complete the view would be opened up to a degree to facilitate the access road. Glimpse views of the southern most dwellings may be possible along the access road. This could create an opportunity to gain an appreciation of the openness associated with the site. Therefore with the proposed development in place, there may be an increased sense of openness associated with the site.
- 8.10 The view from VP11 would be slightly altered with the proposed development partially visible beyond the garages. This would be a glimpse only and not block the longer distance view. There would be little change to the appreciation of the openness of the wider area.
- 8.11 VP10 lies on the scarp 2.9km to the west on the scarp. The site is barely visible in this view and the proposed development would not affect any appreciation of openness to any material extent. See **VP12 and Illustrative Photomontages D4.3** of the LVIA.

¹⁷ CD 1.11

- 8.12 Local views from the south are limited to VP 13.
- 8.13 The view along the track at Bluehouse Lane would be used as a pedestrian / cycle access. The proposed development would be partially visible at the top of the track, with some effect on the view. The proposed dwellings are on falling land at this point.
- 8.14 Local views from the east are limited to VP 1 on FP75.
- 8.15 The view from VP1 would be slightly altered with the proposed development partially visible beyond the hedge / treeline on the eastern boundary of the site. This would be a glimpse only and not block the longer distance view. There would be little change to the appreciation of the openness of the wider area. See **VP12 and Illustrative Photomontages D4.1** of the LVIA.
- 8.16 More distant views from the north toward the M25 and on the scarp beyond are limited by the extent of woodland cover, particularly the ancient woodland. VP4-8 either have no view of the site or are over 1km from the site and only a very small part of the site would be visible. Any part of the site that would be visible would be seen in the context of views of Oxted.
- 8.17 With such limited views of the site the proposed development would not affect any appreciation of openness to any material extent.
- 8.18 In summary any reduction in visual openness would only be appreciated from the boundary of the settlement boundary in the immediate environs of the site. This would be geographically limited but where it is experienced, there would be a moderate degree of harm. Beyond this area there would be no material effect on visual openness.

Duration of the development and remediability

- 8.19 The proposed development would be permanent and highly unlikely that the site would return to its original state in terms of openness. This element of the nature of the proposed development means that any impact on openness that it will have will be greater than a development which is temporary and/or where there is a likelihood that openness would be restored at some point in the future. I have taken this into account in considering the degree of harm that the proposed development may give rise to.

Degree of Activity

- 8.20 The proposed development would generate its own traffic movement, although the vast majority of this would relate to private vehicle use and movement within the site itself, and into Oxted away

from the Green Belt. The opportunity to appreciate this movement would be limited, restricted by the screening effect of existing landscape structure. The degree of activity associated with the proposed development would be limited, transient and not cause harm to the appreciation of openness.

8.21 The 3G pitch within the grounds of Oxted School is available to be rented by external users until 9pm. This facility is floodlit. Any lights from street lighting, cars or dwellings within the proposed development would be seen in the context of the illumination of the adjacent areas.

8.22 I conclude that the proposed development will give rise to a spatial impact upon openness but limited to within the Site boundary. The Site is very well contained and the impact of the proposed development upon visual openness would be limited to areas within the settlement boundary in locations immediately proximate to the site. Views from FP75 are the only public views that would fall into this area, the remainder being either from adjacent private dwellings or educational establishments. Where the proposed development can be seen from these limited locations it will have a moderate degree of impact. However, beyond these limited locations, the proposed development will not have any material impact upon a viewer's perception of openness. Overall, my view is that the impact on openness of the Green Belt would be limited.

9. PREDICTED EFFECTS ON THE PURPOSES OF GREEN BELT

9.1 The purposes of including land within the Green Belt are set out at §143 of the Framework:

(a) to check the unrestricted sprawl of large built-up areas;

(b) to prevent neighbouring towns merging into one another;

(c) to assist in safeguarding the countryside from encroachment;

(d) to preserve the setting and special character of historic towns; and

(e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

9.2 GBA3 indicates in its assessment of OXT006 that the parcel makes a contribution to both Purpose (a), to check the unrestricted sprawl of large built-up areas, and to Purpose (c) to assist in safeguarding the countryside from encroachment.

9.3 It does not find that the parcel makes a contribution to Purposes (b) to prevent neighbouring towns merging into one another, (d) to preserve the setting and special character of historic towns or (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Purpose (a), to check the unrestricted sprawl of large built-up areas

9.4 Urban sprawl is defined at 3.19 of GBA¹⁸ (2015) as *“the advancement of ad hoc, sporadic and unplanned development beyond the clear physical boundary of a developed settlement. If there is a clearly defined physical boundary line between the built form of the urban area and the countryside then this would suggest that any development has more than likely been planned and that the Green Belt has been effective in guiding and restricting it. If that line has been blurred by ad hoc infilling or patchy development and a clear boundary no longer exists that parcel may be less effective at restricting urban sprawl.”*

9.5 The TDC LCSS concluded at 2.2 that *“With moderate sensitivity and value, site OXT006 is judged to have a medium landscape capacity for housing development.”*

9.6 GBA3 notes that the site is located on the edge of a sustainable settlement, and that, given the Green Belt in this location, the site serves two purposes of preventing sprawl and safeguarding from encroachment. It also notes that OXT006 will continue to serve these purposes, in particular if no robust and defensible edge can be identified.

¹⁸ CD 5.5

- 9.7 The site is described in the 2015 GBA as a *“wedge” of Green Belt land in-between the two already developed areas in the north west and north eastern parts of Oxted. This “wedge” is comprised of fields bordered on three sides by development from the town, with a row of trees to the north screening it from the fields beyond in the other parts of the parcel.* The uses adjacent to the “wedge” of the site are mixed, with some residential development, school facilities and playing fields with weakly defined boundaries, and open countryside to the east and north beyond the woodland. With this in mind it is not immediately apparent where the boundary of the settlement should lie.



Boundary with Oxted School

- 9.8 In contrast the rear boundaries of the properties along Park Road present a clear and permanent boundary. The area around the site does not.
- 9.9 The well-developed hedgerow on the eastern boundary and the Ancient Woodland to the north both provide clearly defensible boundaries that are robust and can be clearly identified. The current boundary of the site, particularly on the northern edge of Oxted School is weak and does not represent a *“clearly defined physical boundary line”*. The Ancient Woodland and hedgerow are robust, clearly defined, physical and permanent.

- 9.10 Given that a robust and defensible edge already exists on the ground, in my view, the extent of the contribution that OXT006 makes to Purpose a) is called into question.
- 9.11 Under the heading ‘Discussion’, GBA3 notes housing development on the site would deliver 150 dwellings and that the site is considered suitable for development from a landscape and ecology perspective, subject to mitigation measures.
- 9.12 The degree of enclosure provided by the surrounding land uses, the boundary vegetation and woodland, and the existing barrier of the SHNL / AGLV to the east, results in this site being restricted from view in all directions and has no prospect of becoming unrestricted sprawl. The site has no material wider impacts beyond site boundary and would not affect the function of GB more widely beyond the Site boundary with regard to Purpose (a).
- 9.13 Given the above, since the Site is already effectively developed on three sides, its loss to development would not result in a perception of development sprawling into the open countryside. For that reason I believe it would cause only limited harm in respect of Purpose (a).

Purpose (c) to assist in safeguarding the countryside from encroachment

- 9.14 The proposed development is a carefully designed scheme in an area of land considered by TDC to be a wedge *“comprised of fields bordered on three sides by development from the town, with a row of trees to the north screening it from the fields beyond in the other parts of the parcel.”*
- 9.15 This isolation from the wider sweep of the open countryside provided by the shape of the site and the boundary uses and conditions, renders the area more akin to urban edge rather than countryside.
- 9.16 Indeed, the OR notes at §49 that the site *“provides a notable break between the built-up area of Oxted and the open countryside beyond.”* This suggests that the Officer concluded that the site is neither urban area nor open countryside, but an area of transitional urban fringe between the two.
- 9.17 As a result of the wedge shape of the site, the appeal scheme would not form development that would be considered to be an outlier or inset in the Green Belt as some existing local residential areas currently present themselves. Quite the contrary, the proposal would sit within the edge of the existing settlement
- 9.18 The Site benefits from substantial visual containment such that there is little intervisibility between the residential site and the wider Green Belt to the north and east. This is due to the strong physical feature of mature trees, hedgerows and woodland on the boundaries. This provides strong physical separation and visual containment of the proposed development.

9.19 The site is visually and physically separated from the remainder of the Green Belt to the north and east, and the nature of the site is more urban fringe than open countryside. The contribution that OXT006 makes to Purpose (c) is called into question.

9.20 Given the above, I consider that the Proposed Development results in the loss of a Site which, because of its contained nature and character, makes only a limited contribution to the perception of countryside or countryside character. For that reason, I believe, the Proposed Development would cause only limited harm in respect of Purpose (c).

Summary

9.21 In combination, this leads to a conclusion that the site makes only a limited contribution to Purposes (a) and (c) of the Green Belt. By TDC’s own GB assessment and criteria, the site is assessed as making no contribution to the remaining Purposes.

Consultation draft of NPPF

9.22 The new Government released a consultation draft of the NPPF in July 2024.

9.23 §144 reads:

“Where it is necessary to release Green Belt land for development, plans should give first consideration to previously-developed land in sustainable locations, then consider grey belt land in sustainable locations which is not already previously-developed, and only then consider other sustainable Green Belt locations.”

9.24 The site is not previously developed land. The site adjoins the existing settlement of Oxted which is identified as a Tier 1 sustainable location.

9.25 “Grey belt land” is defined in Annex 2 as:

“land in the green belt comprising Previously Developed Land and any other parcels and/or areas of Green Belt land that make a limited contribution to the five Green Belt purposes (as defined in para 140 of this Framework), but excluding those areas or assets of particular importance listed in footnote 7 of this Framework (other than land designated as Green Belt).”

9.26 The developed part of the site falls outside the SHNL, therefore footnote 7 is not engaged.

9.27 I establish at 9.21 above that the site makes a limited contribution to Purposes (a) and (c) of the Green Belt. By TDC’s own GB assessment and criteria, the site is assessed as making no contribution to the remaining Purposes.

9.28 The Appeal site should therefore be regarded as grey belt land.

9.29 §152 reads:

“In addition to the above, housing, commercial and other development in the Green Belt should not be regarded as inappropriate where:

a. The development would utilise grey belt land in sustainable locations, the contributions set out in paragraph 155 below are provided, and the development would not fundamentally undermine the function of the Green Belt across the area of the plan as a whole; and

b. The local planning authority cannot demonstrate a five year supply of deliverable housing sites (with a buffer, if applicable, as set out in paragraph 76) or where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years; or there is a demonstrable need for land to be released for development of local, regional or national importance.

c. Development is able to meet the planning policy requirements set out in paragraph 155.”

9.30 Whether the Site is in a sustainable location is a matter for Mr Slatford.

9.31 §155 of the draft NPPF reads:

“Where major development takes place on land which has been released from the Green Belt through plan preparation or review, or on sites in the Green Belt permitted through development management, the following contributions should be made:

a. In the case of schemes involving the provision of housing, at least 50% affordable housing [with an appropriate proportion being Social Rent], subject to viability;

b. Necessary improvements to local or national infrastructure; and

c. The provision of new, or improvements to existing, green spaces that are accessible to the public. Where residential development is involved, the objective should be for new residents to be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.”

9.32 Paragraph 155 (a) and (b) are addressed by for Mr Slatford.

10. PREDICTED EFFECTS ON THE SURREY HILLS NATIONAL LANDSCAPE AND AGLV

Surrey Hills National Landscape

10.1 The current Framework at §180, §182 and §183 provides protection for valued landscapes and great weight to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, now National Landscapes.

10.2 Planning Practice Guidance (Green Belt - GOV.UK¹⁹ (www.gov.uk) states that:

“Land within the setting of these areas often makes an important contribution to maintaining their natural beauty, and where poorly located or designed development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is complementary. Development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account.

Paragraph: 042 Reference ID: 8-042-20190721

Revision date: 21 07 2019”

10.3 The belt of ancient woodland that lies within the site along the northern boundary is within the SHNL.

10.4 No development is proposed within the SHNL.

10.5 The remainder of the Site where development is proposed is not within the SHNL, see **Figure D3**.

10.6 The area of the Site proposed for development therefore lies only within the setting of the SHNL.

10.7 Policy P6 of the SHNL Management Plan²⁰ states that:

“Development that would spoil the setting of the AONB by harming public views into or from the AONB will be resisted.”

10.8 The village of Oxted lies within the setting of the SHNL and forms part of the “long views from” and “to the designated landscape”. The site, whilst partially visible in some long views does not form a

¹⁹ <https://www.gov.uk/guidance/natural-environment#landscape>

²⁰ CD 9.2

significant element in those views, see VPs3-10 in the LVIA. Whilst the SNHL is visible from within the site these are not public views as protected by P6 of the Management Plan.

10.9 The site is visually contained by the ancient woodland and hedgerows which separates it from the wider more open landscape to the north and east and relates more strongly to the settlement edge. The LVIA concludes that the site would be largely screened from view within the wider landscape, with the exception of VP1 on Footpath 75 Greensand Way immediately to the east of the site. In all other views assessed from within the SHNL the proposed development would not give rise to any material visual impact, with those receptors that can see the proposed development identified as experiencing a negligible significance of effect. See LVIA Appendix D4 for illustrative photomontages. These clearly demonstrate how well contained and screened the proposed development would be when viewed from within the SHNL.

10.10 This view is reinforced by the comments made by Clive Smith Surrey Hills AONB Planning Adviser on January 2nd 2024²¹, my underlining added.

“In my view, the development would have little impact upon distant public landscape views from the AONB. The impact would be more localised. Further, should the development become capable of being publicly viewed from the existing AONB to a greater extent than the LVIA would suggest, it would be against the backdrop of the built up area. In this context it would be seen as being part of Oxted. For these reasons I find it difficult to substantiate that the development would harm public views into or from the AONB so as to spoil the setting of the AONB.”

10.11 Mr Smith concludes that the proposed development would not harm public views into or from the SHNL so as to spoil the setting of the SHNL.

10.12 I agree with this conclusion.

10.13 The LPA alleges harm to the setting of the SHNL in RfR1, but is more cautious at 8.11 of its SoC²².

“Development will extend the built-up area of north Oxted into the setting of the AONB. Such development will not respect and contribute to the distinctive character, appearance and amenity of the area.”

10.14 To say that the development of the site would extend the built up area of Oxted into the setting of the SHNL is simply inaccurate; Oxted is already within the setting of the SNHL. Oxted is clearly

²¹ CD 9.4

²² CD 12.1

visible in views from within the SHNL at both the lower levels and from the elevated escarpment. These views of the built form of the settlement benefit from a good degree of woodland and tree cover. This situation would be unchanged if the Appeal site were to be developed. The change would be barely noticeable and would not result in any material change in the appreciation of character.

10.15 With regard to the distinctive character of the area the defining characteristics of the LCA would not be materially affected. Boundary vegetation remains largely unchanged and would be supplemented in the longer term as part of the mitigation strategy. The field pattern and ancient woodland would be unaffected.

10.16 As identified by the SHNL Planning Officer, any effects are geographically limited and do not substantially affect the wider landscape, and that the *“proposed development would not harm public views into or from the SHNL so as to spoil the setting of the SHNL”*.

10.17 I agree with Mr Smith that the appearance of the area would not be changed to any material degree.

10.18 Despite this clear response from the SHNL Planning Adviser, the Officer does not share his view. §56 of the OR²³ states:

“While it is acknowledged that there are limited public viewpoints where there is intervisibility between the application site and the National Landscape, this is one aspect in assessing impact on the setting of the designated area. An extension of the urban area of Oxted with residential development up to the boundary of the National Landscape would be bound to have both a visual and a spatial impact on the setting of the designated area, replacing open agricultural land with urban development. With that urban development would come other impacts on the National Landscape including movements of traffic, human activity, noise and, at night, artificial lighting, all where none of these impacts occur at present. These impacts would adversely affect the quiet and natural beauty of the National Landscape.”

10.19 The Officer provided no evidence to support this opinion. No alternate LVIA was presented to Members. Indeed, to date, I have not seen any alternate GLVIA3 compliant assessment which had been prepared on behalf of the Council. In coming to his view Mr Smith will have considered

²³ CD 3.1

the change proposed to the site and concluded that any effects “*would be more localised*”, and that neither the SHNL nor its setting would be affected.

10.20 The developed part of the site does not fall within the SHNL; therefore only policies relating to the setting NL are of relevance.

10.21 At a National policy level the only reference to the setting of National Landscapes that I can find is in paragraph 182 of the current NPPF. This states:

“The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.”

10.22 I read that policy as allowing development within the setting of National Landscapes where adverse impacts have been minimised. In other words, that policy allows development within the setting of a National Landscape which would have a degree of impact. It is not a policy approach which requires development within the setting of a National Landscape to give rise to no harm to a National Landscape whatsoever in circumstances where the degree of harm has been minimised.

10.23 Policy CSP20 lists a series of principles with respect to AONBs.

“b) conserve and enhance important viewpoints, protect the setting and safeguard views out of and into the AONB.”

10.24 This policy seeks to protect the setting of the AONB rather than the AONB. This is not reflective of the approach now set out in the current NPPF which I have just referred to above. The current NPPF does not contain any policy which provides for protection of the setting of a National Landscape in its own right. Mr Slatford will address the implications of this in his evidence.

10.25 No important viewpoints are identified in either the Core Strategy or the Local Plan, and Mr Smith confirms that the “*proposed development would not harm public views into or from the SHNL so as to spoil the setting of the SHNL*”.

10.26 The delivery of the proposed development would provide a degree of enhancement to the SHNL. The eastern edge would provide a robust and permanent boundary to SHNL, and the area of ancient woodland would be appropriately protected and managed so as to ensure its survival in the long term.

10.27 The SHNL Planning Officer agrees with the LVIA in that there would be very limited opportunity for views of the site from within the SHNL. He also concludes that there would be no effect so as to spoil the setting of the SHNL. As such the proposed development would not be contrary to the Framework §180, §182 and §183. My colleague Mr Slatford will address the statutory duty.

SHNL Boundary Review

10.28 The Site is currently proposed to be included in the SHNL as part of the Natural England boundary review but is included only as a minor boundary refinement. It was not part of Evaluation Area EA10 Greensand Hills and Low Weald.

10.29 Representations provided to Natural England, see 4.4 Appendix D3 of the LVIA, contained a review of the natural beauty of the site. It is provided below.

4.4 The Consultation Document outlines at Table 1²⁴ the factors by which Natural Beauty is judged. It is against these criteria that an area of landscape is “*evaluated to establish whether it has sufficient natural beauty to be designated*”²⁵.

4.5 The assessment of the site below is informed by the Evaluation Framework for Natural Beauty Criterion²⁶.

4.6 **Landscape quality** – the landscape is intact and in good condition.

4.7 **Scenic quality** – the site is pleasant but not unusually attractive. It does not display a particularly distinctive sense of place or landform, visual interest in patterns of land cover or particularly strong aesthetic qualities.

4.8 **Relative wildness** – given its urban edge location and adjoining land uses there is no sense of remoteness or lack of human influence. It is enclosed but not isolated.

4.9 **Relative tranquillity** – traffic on the M25 is clearly audible, adjoining land uses are sources of noise locally. The M25 was built after the Surrey Hills AONB was designated.

4.10 **Natural heritage features** – there are no distinct geomorphological features within the site. The Ancient Woodland is a notable habitat that contributes to sense of place but is not unusual locally.

²⁴ CD 9.7 page 5

²⁵ ibid page 5

²⁶ CD 9.8 Appendix 5

4.11 **Cultural heritage** – there is no clearly evident cultural associations.

4.12 For these reasons I do not believe that the site *“has sufficient natural beauty to be designated”*.

10.30 In July of 2024 the Surrey Hills Area of Outstanding Natural Beauty Boundary Variation Project released the Consultation Analysis Report²⁷. This report focusses chiefly on the larger scale variations to the boundary of the SHNL, with the minor boundary refinements forming a single analysis group, at Appendix 21²⁸.

10.31 The commentary on page 9 of Appendix 21 responds to the representations prepared on behalf of CALA, the landscape components of which can be found at Appendix D3 of the LVIA.

“The Boundary Report is clear that minor boundary anomalies have been reviewed where ‘the existing AONB does not follow a clear feature on the ground, where the land in question relates strongly to the wider AONB forming part of a sweep of qualifying land, and where a suitable alternative boundary can be defined’ (page 45). In this instance, the issue revolves around the second of these.”

10.32 The reference to page 45 should be to the Consultation Document and not the Boundary Report.

10.33 The correct wording found in the Consultation Document reads:

“Minor changes have been made where the existing AONB boundary does not follow a clear feature on the ground, where the land in question relates strongly to the wider AONB forming part of a sweep of qualifying land, and where a suitable alternative boundary can be defined”

10.34 This wording does not offer three independent scenarios, but one single scenario where all three criteria are required to be met. This has not been correctly interpreted in the July 2024 report. To say that *“the issue revolves around the second of these”* highlights the error in how the methodology has been applied.

10.35 In the representation dated 12th June 2023, using Natural England’s own methodology that requires all three criteria to be met, I concluded with regard to the site that:

²⁷ CD 9.9

²⁸ CD 9.10

1. The AONB boundary around the site already follows a clear feature on the ground, namely the edge of the ancient woodland and hedgerows; AND
2. Whilst the site has a relationship with the surrounding countryside, I do not believe that the site relates strongly to the wider AONB; AND
3. The current boundary is already clearly defined.

10.36 I concluded that the site does not fulfil the criteria to be classed as an anomaly (boundary refinement).

10.37 *“Natural England Guidance makes it clear that decisions on a boundary need to be made consistently along its length (para 9.3). Given that the AONB boundary extends up to the urban edge to the north and includes similar assarted fields, and that land north of Park Road is also proposed for inclusion, Natural England is of the view that the inclusion of this land, given its similar qualities and characteristics, is justified. Natural England considers this is a consistent approach to the boundary in this context.”*

10.38 In my view, however, there is a lack of consistency being applied here. None of the other areas identified above are a “wedge” inset into the edge of the settlement, and the boundary does not consistently follow woodland edges around the northern edge of the village in the same manner.

10.39 In my view, the rationale for including the Site ignores the existence of a strong Site boundary and does not apply the relevant Natural England approach properly or at all. The continued attempt to include the Site within the SHNL without any response to the points raised in objection is entirely inappropriate in my view.

10.40 At page 11 of Appendix 21 Natural England makes provision for the site to be consented for development; this foresight does not prejudice the outcome of the Boundary Variation Project as alleged in RfR7.

“Should the planning circumstance of the site change prior to the Designation Order being submitted to the Secretary of State, the decision to include this land within the AONB will be reviewed.”

Area of Greater Landscape Value (AGLV)

10.41 The belt of ancient woodland that lies within the site along the northern boundary, is within the AGLV. The remainder of the site where development is proposed is not within the AGLV, see **Figure D3**.

10.42 As stated at Policy CSP20 of the TDC Local Plan²⁹:

“The same principles will be applied in the associated Area of Great Landscape Value which will be retained for its own sake; as a buffer to the Surrey Hills AONB and to protect views from and into the AONB. The AGLV will be retained until such time as there has been a review of the AONB boundary.”

10.43 The AGLV has been the subject of periodic review. The original designation of the AGLV was made in 1953, approved in 1958. This was reviewed in 1971 and 1981, approved in 1984.

10.44 The most recent review was produced in 2007 by CBA³⁰.

10.45 None of the reviews have proposed that the main area of the Site beyond the ancient woodland should be included within the AGLV. The AGLV does not have a setting that is required to be protected.

10.46 The area proposed for development falls outside the AGLV, there would therefore be no direct impact on the AGLV. Mr Smith confirms that the *“proposed development would not harm public views into or from the SHNL so as to spoil the setting of the SHNL”*; this same conclusion applies to views into and from the AGLV. In my view, the proposed development will not have any material impact upon the character or appearance of the AGLV.

²⁹ CD 4.1

³⁰ CD 9.11

11. PREDICTED EFFECTS ON THE LANDSCAPE CHARACTER AND APPEARANCE OF THE AREA

11.1 The site lies within the GV4: Merstham to Clacket Lane Greensand Valley LCA.

11.2 The key characteristics of the LCA are defined as follows. I have underlined the characteristics relevant to this site:

- *“Underlain by Folkestone Formation Sandstone, with areas of Gault Formation Mudstone to the north.*
- *Undulating landform, rising up to meet the chalk ridge scarp to the north and wooded greensand hills to the south.*
- *The predominant land use consists of medium-large scale, open arable fields, but there is a mixture of other uses including, generally smaller pastoral fields, large scale sand quarry workings, golf courses, road and motorway corridors and settlement.*
- *Blocks of woodland occur across the character area, with more substantial areas of woodland to the west of Oxted. Hedgerows line field boundaries, but are limited in some places with larger arable fields. Smaller parcels of land associated with settlement often have good tree cover. There is ancient woodland, the size and occurrence increasing at the eastern end of the character area.*
- *Northerly views form the character area include the chalk ridge scarp.*
- *The M25 motorway runs along the length of the northern edge of the character area. Junctions 6, 7 and the Clacket Lane services, of the M25 are located within the character area. A limited number of roads, including the A25 and rural lanes cross the character area.*
- *A comprehensive network of public rights of way criss-cross every part of the character area, including the Tandridge Border Path, Greensand Way and Vanguard Way Recreational Paths and the North Downs National Trail.*
- *The character area includes the village of Godstone and settlements such as Merstham, and wraps around Oxted and Bletchingley. Elsewhere, there are isolated dwellings and farmsteads, with settlement becoming more limited at the eastern end of the character area. Merstham is a linear, low density settlement designated as a Conservation Area, and is encircled by motorway, road and rail routes at the north-west corner of the character area.*

- *There are a number of other Conservation Areas, including Pendell Court and Place Farm and Brewer Street, at the western end of the character area, and Godstone in the centre of the character area. The character area includes a small area of registered common land at Clacket Common in the eastern end of the character area, a few scheduled monuments, and part of the historic park/garden at Titsey Place.*
- *There are a number of small woodland areas designated as Sites of Nature Conservation Importance. A few larger blocks of woodland are designated as Sites of Special Scientific Interest, around Titsey Woods.*
- *Relatively rural landscape, with tranquilly and remoteness varying across the Character Area due to the degree of urban influence from settlement and roads.*

11.3 The LVIA at D5.16 concludes that

“There will be direct affects upon SCC Local Character Area ‘GV4 Merstham to Clacket Lane Greensand Valley’ limited to the area of the Site itself. The Proposed Development will be partially visible in some views within the character area, being largely screened by existing woodland. The Proposed Development does not introduce elements not already present in these views. They will be viewed in the context of the existing settlement and in long-distance views will be difficult for the casual observer to identify the change. Throughout the vast majority of the Local Character Area, the Site will not be visible. As such, it is considered that the magnitude of change is negligible. This results in a permanent, Adverse effect of Negligible Significance. “

11.4 This conclusion relates to effects on the LCA within the study area, not the SHNL.

11.5 Of the defining characteristics of the LCA it is the change from a rural pastoral landscape to built development that is most relevant. Boundary vegetation remains largely unchanged and would be supplemented in the longer term as part of the mitigation strategy. The field pattern and ancient woodland would be unaffected.

11.6 The site is currently in agricultural / pastoral use. The proposed development would change the site to residential development, with associated landscape and drainage elements. Boundary vegetation remains largely unchanged and would be supplemented as part of the mitigation strategy, and the field pattern is unchanged. The urbanising effect on the character of the site would be high, resulting in an effect of major adverse significance. This is an inevitable consequence of any greenfield development.

11.7 However, as demonstrated by both the LVIA and the comments of the SHNL Planning Officer, any effects are geographically limited and do not materially affect the wider landscape.

11.8 Policy CSP 21 - Landscape and Countryside reads:

“The character and distinctiveness of the District’s landscapes and countryside will be protected for their own sake, new development will be required to conserve and enhance landscape character.”

11.9 This policy relates to areas of landscape beyond the SHNL.

11.10 Nevertheless, any effect on landscape character would be highly localised, chiefly to the site itself and its immediate environs. Other than the change from agricultural field to residential development, the key characteristics of the site would be conserved. Some enhancement of boundary vegetation is also proposed. In the wider context the site would have a negligible effect on landscape character to the extent that the setting of the SHNL would not be affected.

11.11 With regard to visual effects the LVIA concludes at D8.10 that

“D8.10 The only visual receptor to experience a major adverse effect is Viewpoint 1. This is because the Proposed Development will introduce elements not currently present in the view, changing the character from a purely rural to that of urban/rural interface.

D8.11 One visual receptor, Viewpoint 12, will experience a moderate adverse effect. The effect of the Proposed Development, although noticeable, does not introduce elements not currently present in the view.

D8.12 Within the wider landscape, whilst the Proposed Development will be partially visible from a limited number of locations, in all these locations, the proposals will be viewed in the context of the existing urban extents of Oxted and not readily discernible to the casual observer. As such these effects are negligible.”

11.12 Again, this conclusion is reflected by Mr Smith’s comments that *“In my view, the development would have little impact upon distant public landscape views from the AONB. The impact would be more localised. Further, should the development become capable of being publicly viewed from the existing AONB to a greater extent than the LVIA would suggest, it would be against the backdrop of the built up area. In this context it would be seen as being part of Oxted. For these reasons I find it difficult to substantiate that the development would harm public views into or from the AONB so as to spoil the setting of the AONB.”*

12. REASONS FOR REFUSAL

12.1 I take each RFR in turn, the key elements for discussion are underlined.

Reason for Refusal 1

12.2 RfR1 reads:

1. **The proposed residential development represents inappropriate development in the Green Belt that would result in significant harm to openness both spatially and visually. The proposed development would also result in significant other planning harm in that it would have an urbanising effect upon and fail to conserve and enhance the setting of the Surrey Hills National Landscape defined in the development plan and would fail to safeguard the open countryside from encroachment and would not be seen to check the sprawl of large built-up areas. Very special circumstances do not exist to override the very substantial weight that must be afforded to the harm to the Green Belt and other harm resulting from the proposal. As such, the proposed development is contrary to policy CSP20 of the Tandridge District Core Strategy 2008 and policies DP10 and DP13 of the Tandridge Local Plan Part 2: Detailed Policies (2014) and paragraphs 152, 153 and 182 of the NPPF (2023).**

12.3 With respect to harm on the spatial openness of the Green belt, I conclude at 8.5 that the introduction of the proposed residential development would inevitably introduce built form and reduce the spatial aspect associated with the site, although this reduction in spatial openness would only be appreciated from within the site itself and from locations in the immediate environs of the site which are highly localised. Where the change is experienced, there would be a moderate degree of harm.

12.4 With respect to harm on the visual openness of the Green belt, I conclude at 8.18 that any reduction in visual openness would only be appreciated from within the Site itself and from locations in the immediate environs of the site which are highly localised. Where the change in openness can be perceived in such locations, there would be a moderate degree of harm. Beyond these locations there would be no material effect on visual openness.

12.5 With respect to the alleged urbanising effect on the site it is agreed at 11.6 that the effect on the character of the site would be high, resulting in an effect of major adverse significance. This is an inevitable consequence of any development on a green field. However, as demonstrated by both the LVIA and the comments of the SHNL Planning Officer, any such effects are geographically limited and do not materially affect the wider landscape.

- 12.6 With respect to the alleged fail to safeguard the open countryside from encroachment, I note at 9.17-9.20 that a result of the wedge shape of the site, the appeal scheme would not form development that would be considered to be an outlier or inset in the Green Belt as some existing residential areas form locally. Quite the contrary, the proposal would sit within the edge of the existing settlement
- 12.7 The residential site benefits from substantial visual containment such that there is little intervisibility between the residential site and the wider Green Belt to the north and east. This is due to the strong physical feature of mature trees, hedgerows and woodland on the boundaries. This provides strong physical separation and visual containment of the proposed development.
- 12.8 The site is visually and physically separated from the remainder of the Green Belt to the north and east, and the nature of the site is more urban fringe than open countryside. The contribution that OXT006 makes to Purpose (c) is called into question.
- 12.9 Given the above, I consider that the site does assist in safeguarding the countryside from encroachment. For that reason, I believe it would not cause material harm in this regard.
- 12.10 With respect to the development of the site would not be seen to check the sprawl of large built-up areas, I note at 9.5 the TDC LCSS concluded at 2.2 that *“With moderate sensitivity and value, site OXT006 is judged to have a medium landscape capacity for housing development.”*
- 12.11 At 9.12-9.13 that the degree of enclosure provided by the surrounding land uses, the boundary vegetation and woodland, and the existing barrier of the SHNL / AGLV to the east, results in this site being restricted in all directions and has no prospect of becoming unrestricted sprawl. The site has no wider impacts beyond site boundary and would not affect the function of GB more widely with regard to Purpose (a).
- 12.12 Given the above, I consider that the proposed scheme would not cause unrestricted sprawl of the built up area in the Green Belt. For that reason I believe it would not cause material harm in this regard.
- 12.13 With respect to the alleged failure to conserve and enhance the setting of the Surrey Hills National Landscape, I have noted above the extent to which this policy approach is at odds with the current NPPF. Further, I note at 10.14 that the village of Oxted is already within the setting of the SNHL. The village is clearly visible in views from within the SHNL at both the lower levels and from the elevated escarpment. These views of the built form of the settlement benefit from a good degree

of woodland and tree cover. This situation would be not change materially if the Appeal site were to be developed.

- 12.14 As agreed by the SHNL Planning Officer, any effects are geographically limited and do not substantially affect the wider landscape, and that the *“proposed development would not harm public views into or from the SHNL so as to spoil the setting of the SHNL”*.
- 12.15 The delivery of the proposed development would provide a degree of enhancement to the SHNL. The eastern edge would provide a robust and permanent boundary to SHNL, and the area of ancient woodland would be appropriately protected and managed so as to ensure its survival in the long term.
- 12.16 The SHNL Planning Officer agrees with the LVIA in that there would be very limited opportunity for views of the site from within the SHNL. He also concludes that there would be no effect so as to spoil the setting of the SHNL. As such the proposed development would not be contrary to Policy CSP20.
- 12.17 The developed part of the site does not fall within the SHNL, consequently in this instance §182 of the NPPF relates solely to the setting of the designation. Mr Smith confirms that the *“proposed development would not harm public views into or from the SHNL so as to spoil the setting of the SHNL”*.
- 12.18 I leave Mr Slatford of Lichfields to address Policies DP10 and DP13, and §152 and 153 of the NPPF.

Reason for Refusal 4

12.19 Rfr4 reads:

- 4. The application site is sensitive in terms of its proximity to the National Landscape and Ancient Woodland. The proposed development would by reason of its siting and form and appearance adversely impact upon the character and distinctiveness of the landscape and countryside of the site and wider area and significantly detract from the overall character and appearance of the area. As such, the proposed development would be contrary to the provisions of Tandridge Core Strategy 2008, Policy CSP21 and Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP7.**

12.20 The developed part of the site falls outside the SHNL and Ancient Woodland.

12.21 The LVIA at D5.16 concludes that

“There will be direct affects upon SCC Local Character Area ‘GV4 Merstham to Clacket Lane Greensand Valley’ limited to the area of the Site itself. The Proposed Development will be partially visible in some views within the character area, being largely screened by existing woodland. The Proposed Development does not introduce elements not already present in these views. They will be viewed in the context of the existing settlement and in long-distance views will be difficult for the casual observer to identify the change. Throughout the vast majority of the Local Character Area, the Site will not be visible. As such, it is considered that the magnitude of change is negligible. This results in a permanent, Adverse effect of Negligible Significance. “

- 12.22 I go on to note at 11.4 above, that this conclusion relates to effects on the LCA within the study area, not the SHNL.
- 12.23 Of the defining characteristics of the LCA, it is the change from a rural pastoral landscape to built development that is most relevant. Boundary vegetation remains largely unchanged and would be supplemented in the longer term as part of the mitigation strategy. The field pattern and ancient woodland would be unaffected.
- 12.24 The site is currently in agricultural / pastoral use. The proposed development would change the site to residential development, with associated landscape and drainage elements. Boundary vegetation remains largely unchanged and would be supplemented as part of the mitigation strategy, and the field pattern is unchanged. The urbanising effect on the character of the site would be high, resulting in an effect of major adverse significance. This is an inevitable consequence of any greenfield development.
- 12.25 However, as demonstrated by both the LVIA and the comments of the SHNL Planning Officer, any effects are geographically limited and do not materially affect the wider landscape.
- 12.26 Policy CSP 21 - Landscape and Countryside reads:
- “The character and distinctiveness of the District’s landscapes and countryside will be protected for their own sake, new development will be required to conserve and enhance landscape character.”*
- 12.27 This policy relates to areas of landscape beyond the SHNL.
- 12.28 Nevertheless, any effect of the proposed development on landscape character would be limited to the Site itself and parts of the immediate environs. Other than the change from agricultural field to residential development, the key characteristics of the site would be conserved. Some enhancement of boundary vegetation is also proposed. In the wider context the proposed

development would not give rise to any material change in landscape character. As a result, there would be no material change in the character of the setting of the SHNL.

Reason for Refusal 5

12.29 Rfr5 reads:

5. **The proposed development by reason of its siting, form and appearance would result in harm to the Green Belt, the National Landscape, Ancient Woodland, open countryside and potentially biodiversity. The proposal therefore does not constitute' sustainable development contrary to Tandridge Local Plan Part 2: Detailed Policies (2014) policy DP1.**

12.30 This RfR reads as an amalgamation of RfR1 and 4. It also covers sustainability which is addressed by Mr Slatford. The matters regarding Green Belt, National Landscape and impact upon the countryside are addressed in respect of RfR1. The matters relating to siting form and appearance and the countryside are addressed in respect of RfR4.

13. RULE 6 PARTY

13.1 Many of the points raised by the Rule 6 (R6) party relating to landscape matters replicate issues raised within the RfRs, and are addressed above.

13.2 At §9 the R6 SoC alleges that if the site were to be developed, that there would be *“clear and significant harms to all of the factors used to assess the openness of the Green Belt.”*

13.3 I have addressed the effect on the openness of the Green Belt and the purposes for including land within the Green Belt above. I fundamentally disagree with the R6 party in this regard.

13.4 At §14 the R6 SoC alleges that the site is a valued landscape as protected by §180a of the NPPF. I conclude at 6.69 that whilst pleasant, the developed part of the site does not contain any features of specific value that raise the developed part of the site above that of mere countryside. I therefore do not find that the developed area of the site to be a valued landscape as protected by §180a of the Framework.

13.5 At §21 the R6 SoC alleges that *“the appeal proposals would be highly detrimental to the Surrey Hills AONB and its setting.”* Mr Smith, the SHNL Planning adviser, stated in his response dated 2nd January 2024 that, with my underlining:

“In my view, the development would have little impact upon distant public landscape views from the AONB. The impact would be more localised. Further, should the development become capable of being publicly viewed from the existing AONB to a greater extent than the LVIA would suggest, it would be against the backdrop of the built up area. In this context it would be seen as being part of Oxted. For these reasons I find it difficult to substantiate that the development would harm public views into or from the AONB so as to spoil the setting of the AONB.”

13.6 At §22 the R6 SoC alleges that *“The appeal proposals would have an urbanising effect on what is currently an open field, and also on the adjoining areas of undeveloped open countryside.”*

13.7 With respect to the alleged urbanising effect on the site it is agreed at 11.6 that the effect on the character of the site would be high, resulting in an effect of major adverse significance. This is an inevitable consequence of any greenfield development. However, as demonstrated by both the LVIA and the comments of the SHNL Planning Officer, any effects are geographically limited and do not substantially affect the wider landscape.

13.8 At §22 the R6 SoC it also alleges that the appeal proposals *“would create a substantial intrusion into the “green wedge”, which is a settlement pattern characteristic of Oxted to the north and east.”*

- 13.9 Other than Glebe Fields west of Limpsfield, I can find no other “green wedges” of the form of the appeal site, nor are any specifically mentioned.
- 13.10 It is alleged that these supposedly characteristic “green wedges” *“bring the countryside close to more areas of the settlement than a straight boundary, thereby enhancing the amenity and wellbeing of all residents as well as contributing to the character of the settlement.”*
- 13.11 Whilst I do not dispute the potential for wedges to provide this enhancement, the site is bounded by two schools, an area of woodland and only five residential dwellings. To say that this is to the benefit of *“all residents”* is misleading. There is no public access into the site, therefore any persons entering the site are trespassing.
- 13.12 The effects on landscape character would be localised, chiefly to the site itself and the immediate environs. Other than the change from agricultural field to residential development, the key characteristics of the site would be conserved. Some enhancement of boundary vegetation is also proposed. In the wider context the site would have a negligible effect on landscape character to the extent that the setting of the SHNL would not be affected.

14. CONCLUSIONS

The Site

- 14.1 The area of ancient woodland on the northern edge of the Site and much of the adjoining landscape to the north, east and west fall within the Surrey Hills National Landscape (SHNL), and the AGLV.
- 14.2 The developed part of the site lies outside the SHNL and AGLV.
- 14.3 The AGLV does not have a setting that is required to be protected.
- 14.4 Other than the area of ancient woodland that falls within the SHNL, the developed part of the site is not the subject of any landscape quality designation.
- 14.5 Whilst pleasant, the developed part of the site does not contain any features of specific value that raise the developed part of the site above that of mere countryside.
- 14.6 I therefore do not find that the developed area of the site to be a valued landscape for the purposes of §180a of the Framework.
- 14.7 The TLCSS concludes that *“with moderate sensitivity and value, site OXT006 is judged to have a medium landscape capacity for housing development.”*

Green Belt

- 14.8 GBA3 notes that the site is located on the edge of a sustainable settlement, and that, given the Green Belt in this location, the site serves two purposes of preventing sprawl and safeguarding from encroachment. It also notes that OXT006 will continue to serve these purposes, in particular if no robust and defensible edge can be identified.
- 14.9 Under the heading ‘Discussion’, GBA3 notes that the site is considered suitable for development from a landscape and ecology perspective, subject to mitigation measures.
- 14.10 The introduction of the proposed residential development would inevitably introduce built form and reduce the spatial aspect associated with the site, although this reduction in spatial openness would only be appreciated from locations in the immediate environs of the site which are highly localised. Where the change is experienced, there would be a moderate degree of harm.
- 14.11 Any reduction in visual openness would only be appreciated from the boundary of the settlement boundary in the immediate environs of the site. This would be geographically limited but where it is

experienced, there would be a moderate degree of harm. Beyond this area there would be no material effect on visual openness.

- 14.12 GBA3 indicates in its assessment of OXT006 that the parcel makes a contribution to both Purpose (a), to check the unrestricted sprawl of large built-up areas, and to Purpose (c) to assist in safeguarding the countryside from encroachment.
- 14.13 It does not find that the parcel makes a contribution to Purposes (b) to prevent neighbouring towns merging into one another, (d) to preserve the setting and special character of historic towns or (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 14.14 The degree of enclosure provided by the surrounding land uses, the boundary vegetation and woodland, and the existing barrier of the SHNL / AGLV to the east, results in this site being restricted from view in all directions and has no prospect of becoming unrestricted sprawl. The site has no material wider impacts beyond site boundary and would not affect the function of GB more widely beyond the Site boundary with regard to Purpose (a). Since the Site is already effectively developed on three sides, its loss too development would not result in a perception of development sprawling into the open countryside. For that reason I believe it would cause only limited harm in respect if purpose (a).
- 14.15 I consider that the Proposed Development results in the loss of a Site which, because of its contained nature and character, makes only a limited contribution to the perception of countryside or countryside character. For that reason I believe, the Proposed Development would cause only limited harm in respect of purpose (c).
- 14.16 With respect to the Consultation draft NPPF, I consider that the Appeal site is grey belt land and that the development of the site would not fundamentally undermine the function of the Green Belt across the area of the development plan as a whole.

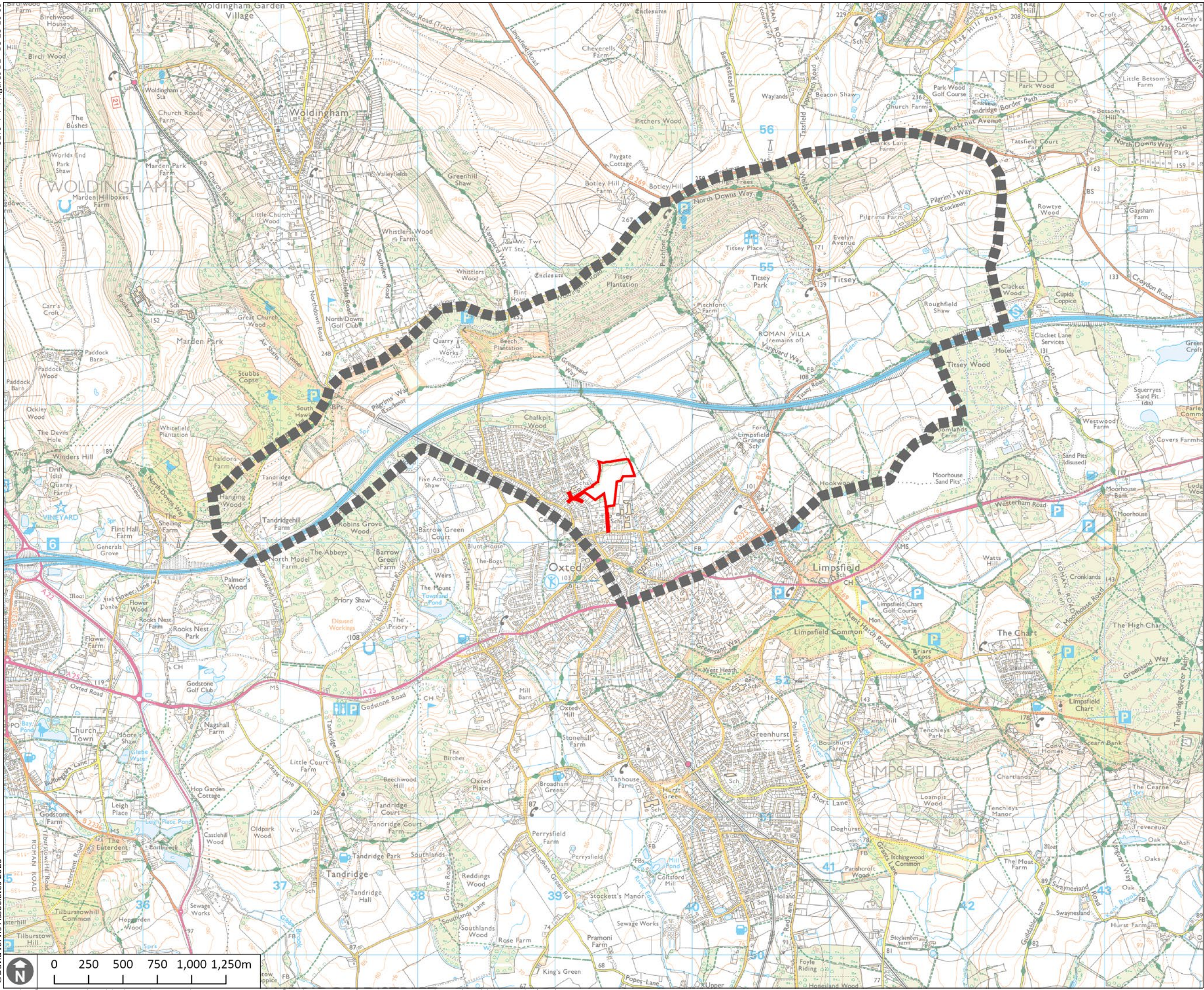
Surrey Hills National Landscape

- 14.17 No development is proposed within the SHNL.
- 14.18 The remainder of the Site where development is proposed is not within the SHNL.
- 14.19 The area of the Site proposed for development therefore lies only within the setting of the SHNL.
- 14.20 Mr Smith, the SHNL Planning adviser, stated in his response dated 2nd January 2024 that, with my underlining:

- 14.21 *“In my view, the development would have little impact upon distant public landscape views from the AONB. The impact would be more localised. Further, should the development become capable of being publicly viewed from the existing AONB to a greater extent than the LVIA would suggest, it would be against the backdrop of the built up area. In this context it would be seen as being part of Oxted. For these reasons I find it difficult to substantiate that the development would harm public views into or from the AONB so as to spoil the setting of the AONB.”*
- 14.22 I agree with this conclusion with regard to landscape effects.
- 14.23 The site is currently in agricultural / pastoral use. The proposed development would change the site to residential development, with associated landscape and drainage elements. Boundary vegetation remains largely unchanged and would be supplemented as part of the mitigation strategy, and the field pattern is unchanged. The urbanising effect on the character of the site would be high, resulting in an effect of major adverse significance. This is an inevitable consequence of any greenfield development.
- 14.24 However, as demonstrated by both the LVIA and the comments of the SHNL Planning Officer, any effects are geographically limited and do not materially affect the wider landscape.
- 14.25 With regard to visual effects, the conclusions of the LVIA are reflected by Mr Smith’s comments that *“In my view, the development would have little impact upon distant public landscape views from the AONB. The impact would be more localised. Further, should the development become capable of being publicly viewed from the existing AONB to a greater extent than the LVIA would suggest, it would be against the backdrop of the built up area. In this context it would be seen as being part of Oxted.”*
- 14.26 Overall, I conclude that the proposed development would result in limited harm to the Green Belt and no material harm would be caused to the setting of the SHNL. Indeed, in my view, the proposed development would result in a degree of enhancement to that setting.

Figures:

- D1. Site location
- D2. Landscape character
- D3. Landscape value
- D4. Public Rights of Way
- D5. Zone of Theoretical Visibility
- D6. Representative Viewpoint Locations



KEY

- Boundary: Application Site
- Boundary: Study Area

Status **PLANNING**

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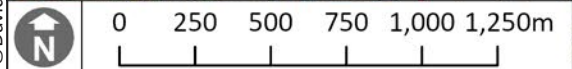
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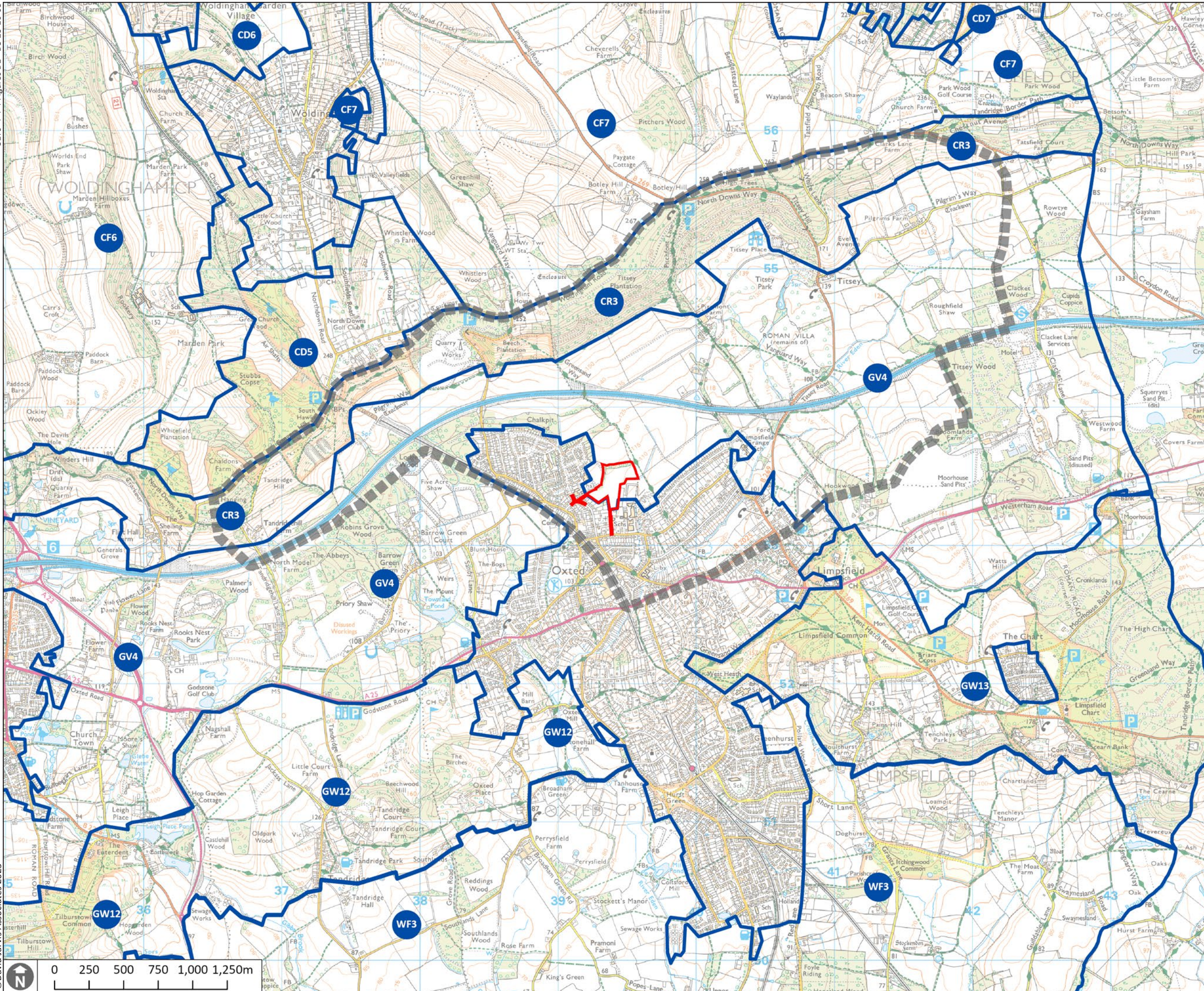
Client
CALA HOMES (SOUTH HOME COUNTIES) LIMITED

Project
LAND AT CHICHELE ROAD, OXTED

Drawing Title
SITE LOCATION

Scale 1:25,000	Sheet Size A3	Date OCT 2023
Client Ref. -	Drawing Ref. 3179-4-4-4	Drawing No. Figure D1
		Version S4-P2





KEY

- Boundary: Application Site
- Boundary: Study Area
- County Boundary
- 119 National Character Area
 - 119 North Downs (NE431)
 - 120 Wealdon Greensand (NE465)
 - 121 Low Weald (NE450)

Landscape Character Areas
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Local Character Areas

- CD5 South Woldingham Chalk Down with Woodland
- CD6 Forestdale to Woldingham Chalk Down with Woodland
- CD7 Tatsfield Chalk Down with Woodland
- CF6 Caterham to Woldingham Open Chalk Farmland
- CF7 Woldingham to New Addington Open Chalk Farmland
- CR3 Box Hill to Tatsfield Chalk Ridge
- GV4 Merstham to Clacket Lane Greensand Valley
- GW12 Earlswood to Oxted Wooded Greensand Hills
- GW13 The Chart Wooded Greensand Hills
- WF3 Horley to Swaynesland Low Weald Farmland

Status **PLANNING**

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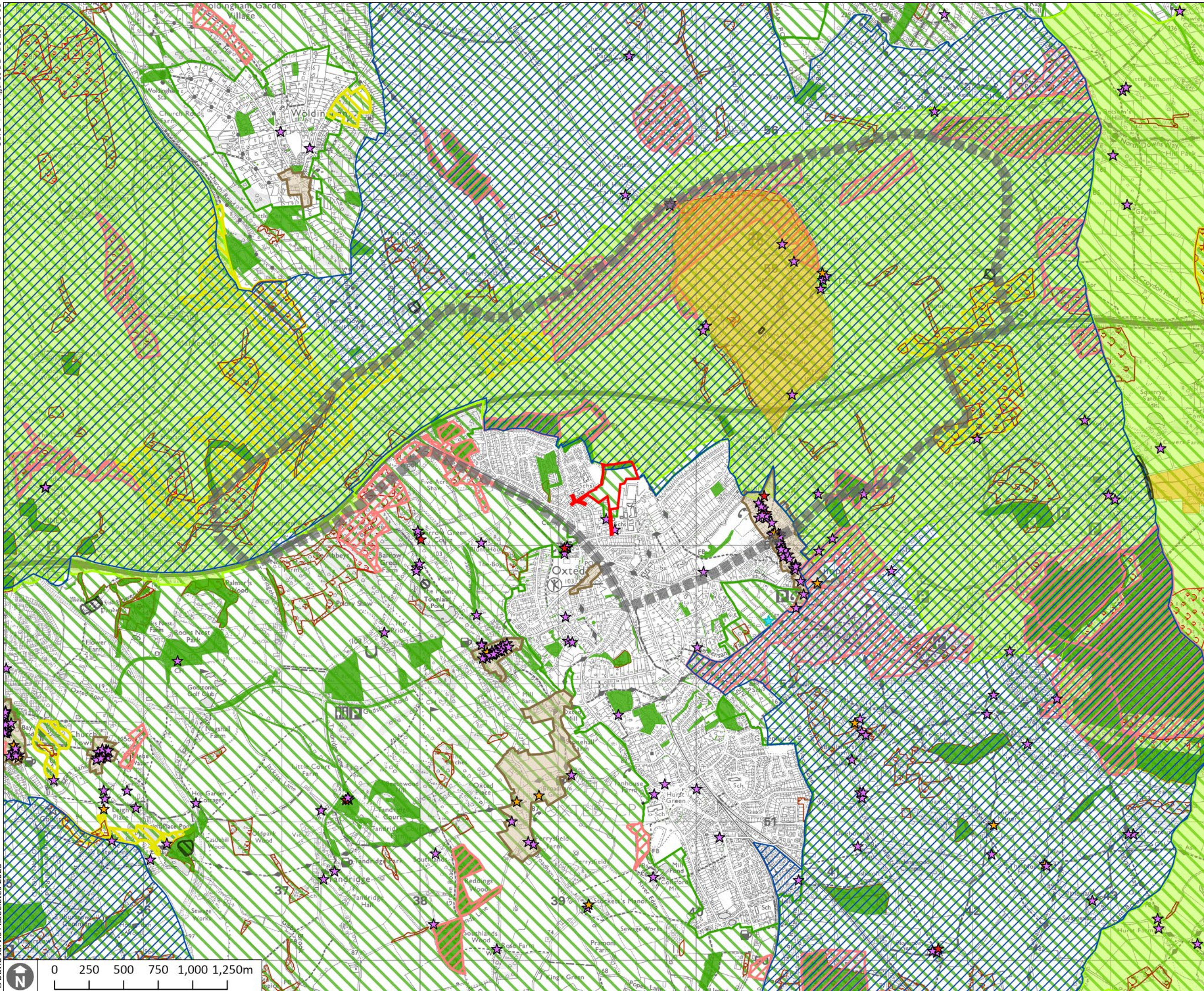
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Project
LAND AT CHICHELE ROAD, OXTED

Drawing Title
LANDSCAPE CHARACTER

Scale 1:25,000	Sheet Size A3	Date OCT 2023
Client Ref. -	Drawing Ref. 3179-4-4-4	Drawing No. Figure D2
		Version S4-P2



KEY

- Boundary: Application Site
- Boundary: Study Area

Historic England Landscape Designations

Listed Buildings

- Grade I
- Grade II*
- Grade II
- Scheduled Monument
- Registered Parks and Gardens

Natural England Landscape Designations

- Ancient & Semi-Natural Woodland
- Ancient Replanted Woodland
- Local Nature Reserves
- Sites of Special Scientific Interest
- Areas of Outstanding Natural Beauty (AONB)
- Green Belt Boundaries

Surrey County Council Designations

- Area of Great Landscape Value (AGLV)

Tandridge District Council Designations

- Sites of Nature Conservation Interest
- Conservation Areas
- Tree Preservation Orders

Status **PLANNING**

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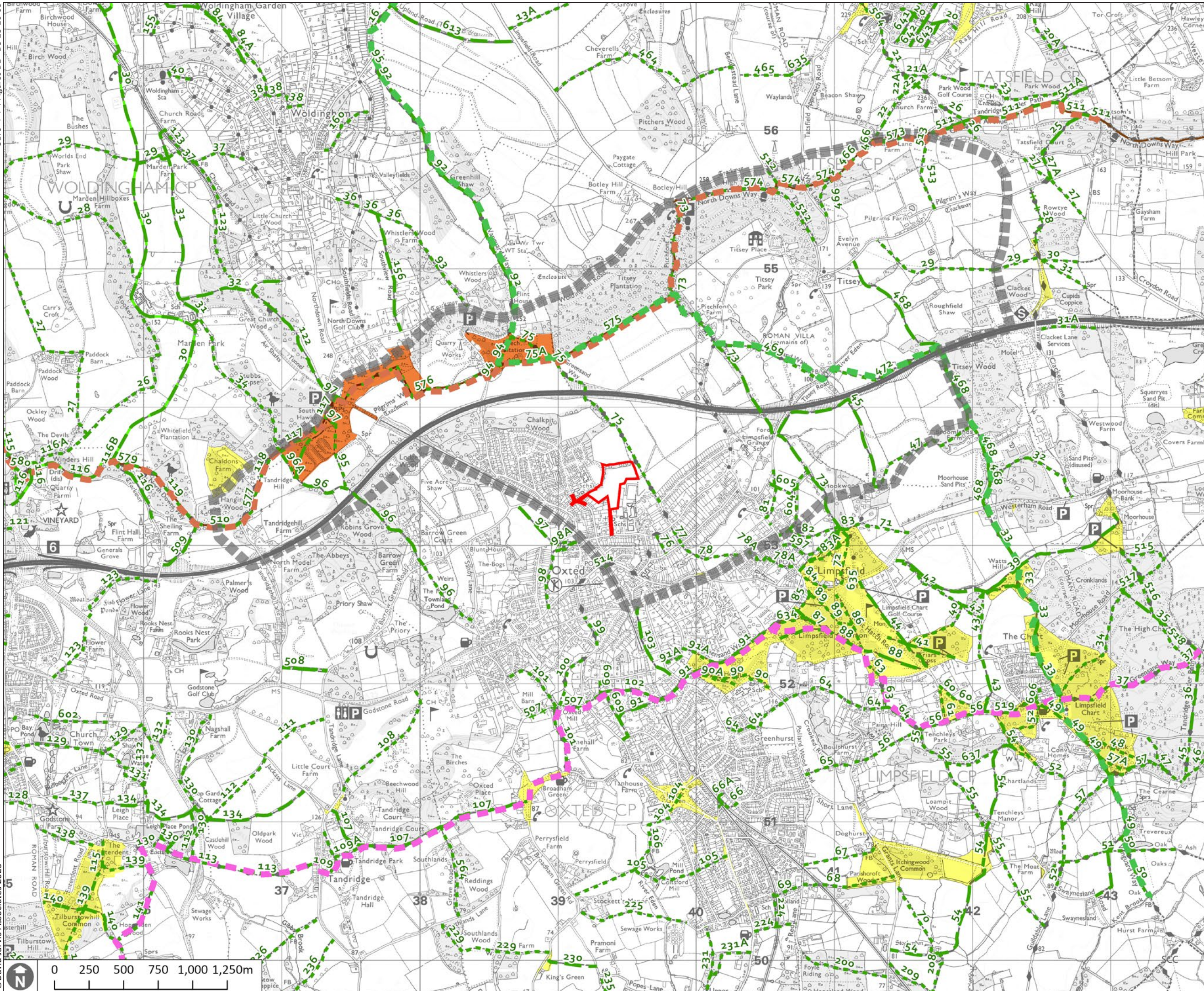
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Project
LAND AT CHICHELE ROAD, OXTED

Drawing Title
LANDSCAPE VALUE

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Client Ref. -	Drawing Ref. 3179-4-4-4	Drawing No. Figure D3
		Version S4-P2



KEY

- Boundary: Application Site
- Boundary: Study Area
- Public Rights of Way**
- ++++ BOAT
- Public Bridleway
- - - - - Public Footpath
- |_|_|_| Restricted Byway
- CRoW - Access Land
- Section 4 - Conclusive Open Country (CRoW Act 2000)
- Countryside Long Distance Routes**
- - - - - North Downs Way
- - - - - Greensand Way

Status **PLANNING**

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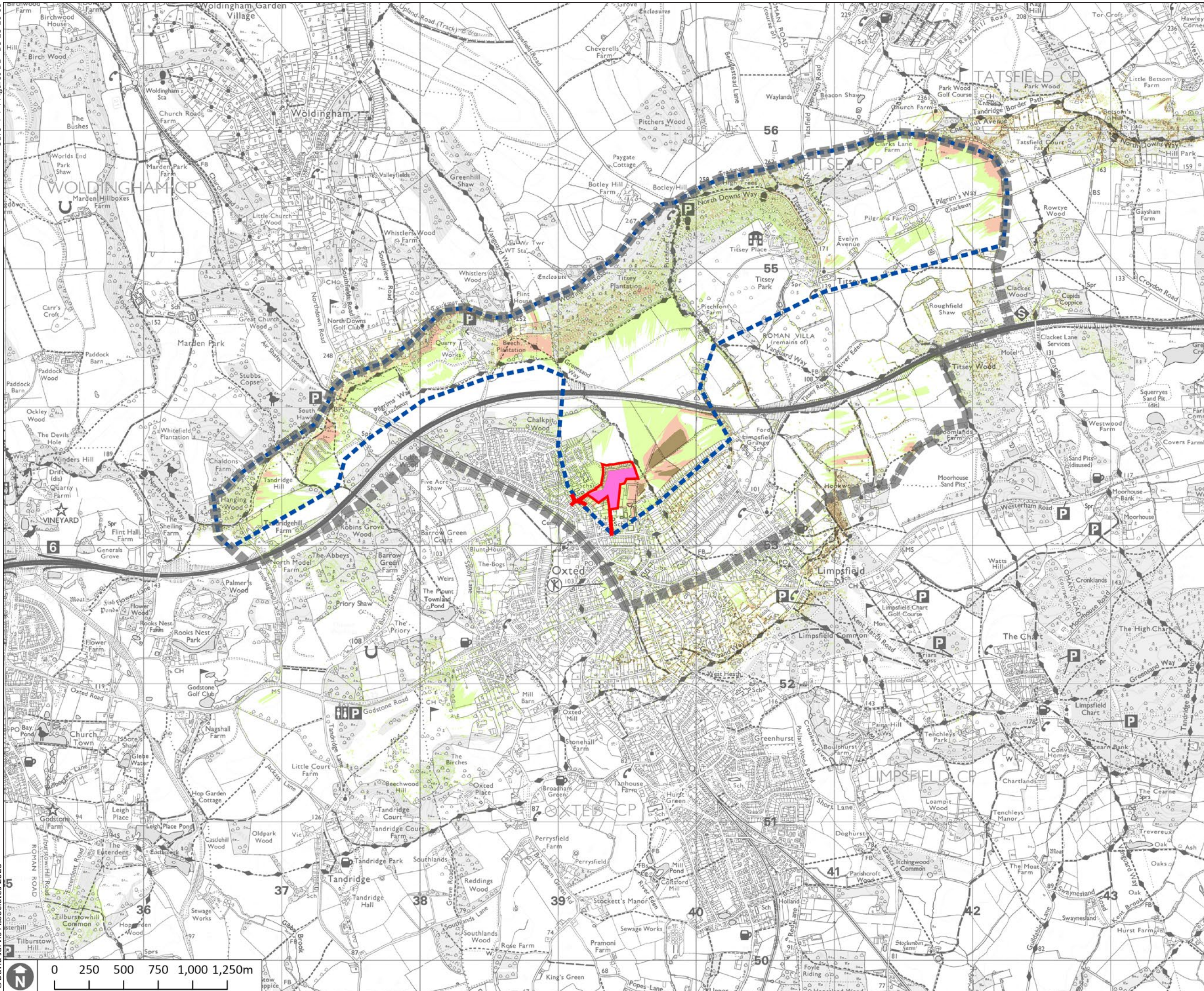
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Client
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Project
LAND AT CHICHELE ROAD, OXSTED

Drawing Title
PUBLIC RIGHTS OF WAY

Scale 1:25,000	Sheet Size A3	Date OCT 2023
Client Ref. -	Drawing Ref. 3179-4-4-4	Figure No. Figure D4
	Drawing No. S4-P2	Version S4-P2



KEY

- Boundary: Application Site
- Boundary: Study Area
- Boundary: ZSV
- Developable Area

Zones of Theoretical Visibility

Level of Visibility

- No or Negligible Visibility (<1%)
- Low Visibility (up to 33%)
- Moderate Visibility (34 to 66%)
- High Visibility (more than 66%)

The zones of theoretical visibility (ZTV) are shown for the proposed test with the following parameters:

- Digital Elevation Model (DEM): Environment Agency 2022 Composite LIDAR First Return Digital Surface Model, 1m resolution
- Observers: 1.6m above DEM, horizontal resolution as per DEM
- Targets: 20m square grid of target points within the developable area, 11m above the DEM
- Adjustments: Atmospheric refraction and Earth's curvature

The model considers the screening effect of vegetation and built form as provided by the DEM. This gives an indication of probable screening effects. The Zone of Visual Significance is defined during field survey and takes into account those aspects missing from the ZTV and may therefore differ from the ZTV. The ZTV is therefore considered to represent a probable scenario to inform field surveys only.

Status

PLANNING

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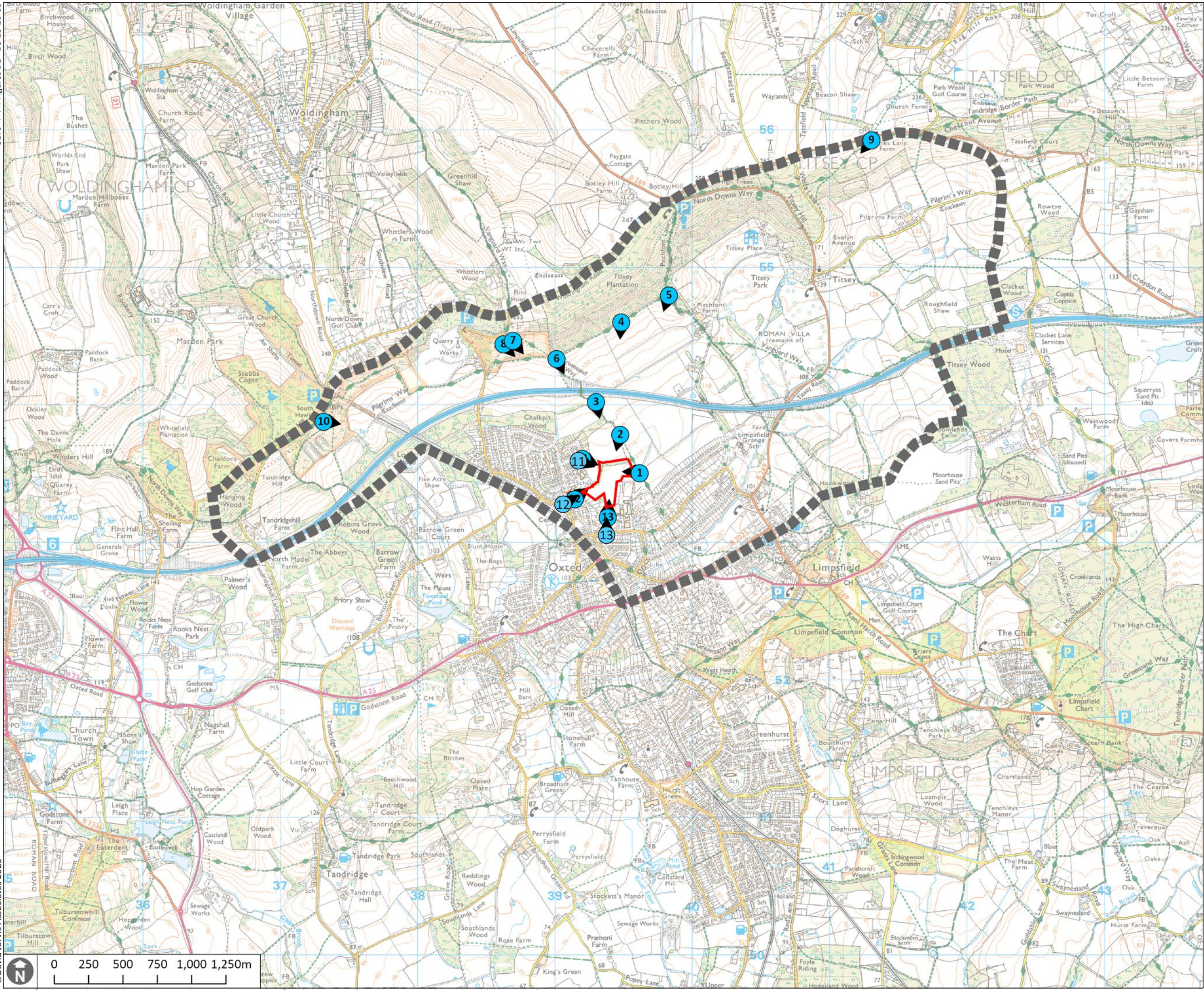
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Client
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Project
LAND AT CHICHELE ROAD, OXTED

Drawing Title
ZONE OF THEORETICAL VISIBILITY

Scale 1:25,000	Sheet Size A3	Date OCT 2023
Client Ref. -	Drawing Ref. 3179-4-4-4	Drawing No. Figure D5
		Version S4-P2



KEY

- Boundary: Application Site
- Boundary: Study Area

Viewpoint Locations

- 1 Field Survey Viewpoint Location

Status **PLANNING**

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Project
LAND AT CHICHELE ROAD, OXTED

Drawing Title
REPRESENTATIVE VIEWPOINT LOCATIONS

Scale 1:25,000	Sheet Size A3	Date OCT 2023
Client Ref. -	Drawing Ref. 3179-4-4-4	Drawing No. Figure D6
		Version S4-P2

