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**Minutes of a meeting of the Planning Committee held at the Caterham Ex
Servicemen's Club, 15 Townend, Caterham CR3 5UJ at 2.00pm
on Thursday 15th February 2024**

Present: Cllr Geoff Duck (Chair), Cllr G Dennis, Cllr M Grasso

In attendance: Mrs H Broughton (Clerk)

PL23/84 Apologies for absence
There were none.

PL23/85 Declarations of interest
There were no declarations of interest arising from the agenda.

PL23/86 Public Forum
There were no members of the public present.

PL23/87 Minutes
It was agreed that the minutes of the meeting held on 25th January 2024, be signed by the Chair as a true record.

PL23/88 Planning decisions
Recent planning decisions were noted.

PL23/89 Planning applications
The following responses to recent planning applications were agreed:

2023/1515: 31a Banstead Road – first floor/roof space conversion and extension to create additional 2 flats.

Objection:

This is a resubmission of application 2023/155. The Parish Council objected to the lack of on-site parking provision in relation to the congested street/pavement parking in the vicinity and the associated road safety issues (including for elderly and less able people). In dismissing the Appeal for 2023/155 the Inspector cited the same reasons. The only significant change for this application is the introduction of two on-site parking spaces. Because of the congestion in this area it is reasonable that the adopted Tandridge Parking Standards are adhered to. The Inspector accepted that.

The existing building provides three one/two bed flats for which 6 allocated parking spaces would normally be expected but there are none. The proposal provides six one/two bed flats for which the expectation would be 12 allocated parking spaces – ie this application generates a need for 6 additional on-site spaces but only 2 are provided.

The Parish Council accepts that a degree of flexibility might be called for. Nevertheless, the discrepancy between parking provision that is reasonably expected v. provided by the proposal is too great. It serves to reinforce the Parish Council's previous view that this is unsustainable overdevelopment of the plot.

2024/26: The Gardens, Church Hill

No comment as not in Caterham on the Hill

2024/71/TPO: open space east of Fenemore Road – fell diseased small ash and holl

No comment

2024/42: 18 Westway - front and rear alterations and loft conversion to enlarge ground and first floor flats.

No comment

2024/53 and 72: One School Global, Victor Beamish Avenue (53 is the parallel listed building application) – eastwards extension of existing building for sports hall, internal alterations to main building, sports pitches to front and amended vehicle access.

Objection: This is a major proposal with a significant effect on the Conservation Area but there are a range of important material issues that have not been addressed:

- NPPF para 154 allows exceptions to what would otherwise be inappropriate development within the Green Belt. These include outdoor sports facilities and extensions to existing buildings but only if the openness of the Green Belt is not compromised and the extensions are not disproportionate, over and above the size of the existing building. The Parish Council is concerned that these tests have not been passed, when the cumulative impact of the other development proposals around the listed building are factored in (see general comment below).
- Flooding and sewer overload risk. Where is the SuDS design? No meaningful information has been provided to the LLFA or Thames Water. This must be addressed now and not left as an afterthought to planning condition. If that were to happen, (but the SuDS design was subsequently unable to demonstrate no off-site surface water flows during storm events) it would by then be too late to achieve sustainable development.
- Impact on trees – they are a key defining characteristic of the Conservation Area but mature TPO limes along Victor Beamish Avenue have already been felled with no clear justification. We draw the District Council's attention to para 136 of NPPF. We would expect to see a report from the TDC tree officer and an ecology survey, including quantification of how biodiversity net gain may be achieved.
- RAF Kenley is one of the best preserved Battle of Britain airfields nationally. The former NAAFI building is a key heritage asset but there are a wide range of further

assets around the airfield (built and buried). The large footprints of the sports hall and pitches would cause extensive ground disturbance. Whilst we welcome the desk-based heritage report, the Parish council will wish to comment further once the responses of the SCC archaeology and listed building officers are received. The visual impact of such a large modern structure beside the listed building is a concern, especially the effect on setting (the visual envelope within which the historic significance of the building and its context within the Conservation Area can be understood and appreciated by the public).

The Parish Council is also concerned about the reactive, piecemeal way in which the District Council is handling this series of applications which cumulatively would have a substantial effect on the Green Belt and Conservation Area:

- The lack of any early proactive engagement and participation by local representatives in the emerging design process. We draw the District Council's attention to section 12 of NPPF, e.g. para 137.
- The uncoordinated way in which the District Council is approaching key planning issues. The proposals here also include a dense development of 87 dwellings around the listed building (application 2023/878). We are concerned about the cumulative impact on the Green Belt and Conservation Area. Together with the existing dense Kenley Park development and the consent for redevelopment around the listed Officers Mess, the risk is creeping urbanisation around and within the Green Belt and Conservation Area whereas openness is a defining characteristic of both. The Parish Council believes that this is a case where a joined-up strategic approach to planning is essential, via a planning brief and master planning but the District Council appears content to take a disengaged, hands-off approach.

It was agreed to circulate the above to all parish councillors and Ward Councillors and to include on the next full Council agenda a motion to request that the Neighbourhood Plan Joint Committee review and take action on continuous incremental applications around the entirety of Kenley Aerodrome.

2024/67: 179 Chaldon Road – conversion of garage to habitable space as ancillary accommodation.

Comment:

The existing garage/workshop is relatively large, not much smaller in footprint than the host dwelling, a small bungalow. The Parish Council understands the applicant's desire for extra family space, but the previous application (2023/137) was refused because it would have created a separate self-contained dwelling.

We note that the internal layout now contains a home office and recreation room but repeat our previous request. If granted, please apply a condition restricting use of the converted building to domestic purposes ancillary to the host property and its residents and not for permanent occupation by others or renting out.

2024/79: 163 Foxon Lane – two storey side extension and single storey rear.

No comment

2020/1504/Cond3: 5 Queens Park Road – discharge of condition 4, surface water drainage

Objection:

The developer has completely disregarded the pre-commencement planning condition, having been proceeding with demolition and construction for several months. Despite repeated notifications of this, the District Council has taken no enforcement action. Even at this advanced stage (with scaffolding now erected for the superstructure) insufficient information about the SuDS design has been provided to the LLFA. The District Council has still not consulted the Environment Agency about the proposed deep drainage borehole within a Ground Source Protection Zone or Thames Water about the ability of the local sewer network to take the output of 10 additional households. The way this application has been handled means that our established local flood risk in the Queens Park area is not being taken seriously. It does not reflect well on the District Council and risks undermining public confidence in the planning system.

PL23/90

Engagement

It was agreed that the Clerk write to the Chief Planning Officer to formally make a request that the Planning Committee meet her at the Council Officers for a discussion regarding current issues, including the worked example below. The Ward Councillors for Queens Park to be copied in. If no satisfactory response is received this to be taken this to the a Full Council meeting.

**Analysis of planning issues illustrated by the development proposals
February 2024**

5 Queens Park Road, Caterham Hill - 2020/1504: Outline application for 3 storey block of 11 flats (access and layout)

Matters raised by the Parish Council in its statutory responses:

- Overbearing scale, height and massing, crowding the plot boundaries, approximately quadrupling the volume of the existing dwelling, occupying nearly the whole plot width and extending back by an even greater distance into the rear garden. The height, proximity and depth would have a particularly adverse impact on the adjacent residents of no. 6 via overlooking and overshadowing.

Wider planning issue:

When attempting to raise these material issues at the Tandridge planning committee, local Councillors were told by officers that they could not do so because this was an Outline application for access and layout only. However, that application had already been validated with fully detailed supporting plans and elevations covering scale, appearance, height, massing, roofscape etc. There was even a lavishly illustrated Design and Access Statement. Worse still, when the Outline consent was issued it included a condition that the development was to be built strictly in accordance with those approved drawings. What was in effect a Full application had been granted under the guise of an Outline. This fait accompli denied Councillors their role in representing residents during the planning process.

- The Parish Council was not opposed to the principle of development but sought a dialogue, so that its priorities could be incorporated into the design before it was finalised.

Wider planning issue:

High staff turnover results in lack of local knowledge and therefore key priorities are not being raised with developers at the pre-application consultation stage. Local representatives cannot do so, being unaware of an emerging design until it appears as a finalised planning application. This leads to an unnecessarily reactive and adversarial process where the only resort is to try to have the application refused (whereas it might have been supported had an early dialogue been encouraged by officers). There was a case where (after refusal) a discussion did take place with the developer who was quite prepared to reconfigure the scheme but asked why none of these matters had been raised by Tandridge at the pre-app stage (resulting in significant extra expense).

The present process is wasteful of time and money for all parties. The alternative approach (encouraging early proactive engagement in the design process) has been set out clearly in NPPF for a decade but has never been implemented by Tandridge.

- Despite the substantial increase in built form and hardstanding (in proximity to a known area of medium/high surface water flood risk) the applicant included no meaningful drainage information. No geotechnical investigation or soakage tests had been carried out. There was a false assumption of free-draining chalk deposits whereas the surface geology here is a substantial stratum of impervious clay, the principal reason for local waterlogging and flash flooding.

Wider planning issue:

The LLFA appeared to accept the applicant's erroneous statement and were content to leave the issue of sustainable drainage until later, via planning condition. The Parish Council takes the view that all major applications such as this in vulnerable locations should be supported by a site-specific flood risk assessment and if necessary a sustainable drainage SuDS design (prior to consent). The same principle applies to the ongoing cumulative effect of the smaller infill that now constitutes the majority of development in our area. That way, the scale and massing of a proposal can in principle be adjusted to reflect the residual capacity of the site to absorb storm water.

We believe that the policy objective of early SuDS assessment and design is already clear for areas of established surface and groundwater risk. NPPF 2023 allows for site-specific assessment on land identified in a Strategic Flood Risk Assessment as being at increased risk in future. The Tandridge SFRA 2018 identifies Caterham Hill as being at such risk from surface water flooding. The government guidance on flood risk assessment exempts Zone 1 developments of less than 1 ha. in size unless they may be affected by sources of flooding other than rivers and the sea, for example surface water drainage. That clearly applies in Caterham Hill. We note that site-specific flood risk assessments are required for all residential development in the LB Croydon Local Plan (approved in 2018) and the draft Tandridge Local Plan (Policy TLP 47).

The Parish Council looks forward to implementation of Schedule 3 to the Flood and Water Management Act 2010 (stated by the government to be this year). It would make sustainable drainage mandatory in new development. In the meantime we believe that the policy background is already sufficient for the LLFA to be more

proactive and to require upfront risk assessments and SuDS designs at very least for major developments like this in vulnerable areas.

1. 2022/245: Detailed application for approval of reserved matters (scale, appearance and landscaping).

Matters raised by the Parish Council in its statutory response:

- The objections from the Outline stage were repeated. The Parish Council pointed out that revised drawings had now been submitted, worsening the overbearing effect on no. 6 by adding further windows on that side. The arguments were accepted and TDC refused the application.

Wider planning issue:

The Outline application only required a ground level layout plan, including means of access. When the Detailed application went to Appeal it was clear that TDC had prejudiced its case by going well beyond this and had already approved a full set of drawings that covered the reserved matters.

In granting the Appeal, the Inspector was aware of that:

“The plans submitted at the Outline stage were considered by the Council as illustrative, albeit they are listed as approved drawings on the Outline planning permission. Nevertheless, they would have been useful in providing evidence that an acceptable scheme is capable of being derived at the reserved matters stage.”

“In determining the Outline application, the Council would need to have been satisfied that a reasonable level of natural light for neighbouring occupiers could be achieved with the layout proposed, based on the nature of the site, the relationship with adjoining properties and the proposed amount of development, as well as guidance given in the indicative plans.”

The combination of a lack of any pre-application engagement and accepting a Full application in the guise of an Outline prevented the Parish Council’s legitimate concerns from being fed into the design process.

2. 2020/1504/Cond2 and Cond3: discharge of condition for sustainable drainage.

Matters raised by the Parish Council in its statutory response:

- The Parish Council has emphasised previously the importance of this substantial development being able to demonstrate sustainability in mitigating an established surface water flood risk. For that reason Condition 4 requires details of a sustainable drainage design to be approved prior to commencement of development. Despite this, demolition and groundworks have already been undertaken in breach of planning. The information now submitted is scant, suggesting that the matter is still not being taken seriously by the developer. We support the comments of the Lead Local Flood Authority that there is insufficient detail. It does not constitute an appropriate SUDS design.

The proposal is for a deep drainage borehole some 200 m. into the chalk bedrock.

That is an aquifer for drinking water supplies and the area falls within Source Protection Zone 2. Whilst the LLFA manages surface water flood risk, the Environment Agency is responsible for ensuring that works penetrating the chalk in SPZs do not introduce potential contaminants into the groundwater aquifer. Amended regulations came into force in October 2023 (environmental Permitting Regulations England and Wales 2023). It is therefore essential that the District Council seeks the advice of the

Environment Agency before proceeding further. Attention was also drawn to the need to consult Thames Water concerning the capacity of the sewer drainage system here to take the foul water output of eleven dwellings compared to the previous one.

Wider planning issue:

The developer has ignored the planning condition – that an approved SuDS design must be in place prior to commencement of development. Instead (since November 2023) demolition and construction have pressed ahead, with the ground floor completed and scaffolding now erected for the superstructure. TDC have been informed repeatedly of this overt planning breach but have chosen to take no enforcement action. They have not consulted the Environment Agency about the proposed deep drainage borehole or Thames Water about sewer capacity here. Even at this advanced stage, the submitted drainage information is still inadequate for LLFA purposes. Not requiring the SuDS design to be approved prior to determination (plus not issuing a stop notice) carries a real risk. It is already too late, if the approved scheme cannot demonstrate flood resilience (sufficient to prevent off-site flows during storm events). Not only does this approach show disregard of our very real local flood risk but it undermines public confidence in the planning system.

PL23/91

The **date of the next meeting** was noted as Thursday 7th March 2024.

The meeting closed at 2.50pm