REPRESENTATION ON THE REGULATION 19 PUBLICATION LOCAL PLAN (2027–2042)

To: Planning Policy Team, Tandridge District Council

From: Tatsfield Parish Council

Date: 09 November 2026

Subject: Representation on the Soundness and Legal Compliance of the Tandridge District Local Plan (Regulation 19 Publication Document, October 2026)

1. Introduction and Scope of Representation (Reg 19 Framework: Paragraphs 1.11–1.15)

This representation is submitted by Tatsfield Parish Council in accordance with the procedural parameters set out in Paragraphs 1.11 to 1.15 of the Tandridge District Local Plan Regulation 19 Publication Document (October 2026).

Tatsfield Parish Council notes that this consultation does not invite general options commentary; rather, representations must specifically address whether the Publication Draft is Legally Compliant and Sound (having regard to whether it is Positively Prepared, Justified, Effective, and Consistent with National Policy, pursuant to the National Planning Policy Framework).

Tatsfield Parish Council concludes that the Local Plan in its current form is **not legally compliant** and **unsound** in four areas:

1. **Procedural Failure and Legal Non-Compliance:** Siting and allocating Policy ALL2 Site TATc (Development Site South of Ship Hill House, Ship Hill – 84 dwellings) without any prior public consultation at the Regulation 18 stage.
2. **Failure of Justification (Soundness Test 2):** Inadequate evidence base, arbitrary site selection, and direct policy contradictions between HELAA assessments on Ship Hill.
3. **Failure of Effectiveness (Soundness Test 3) & Cumulative Infrastructure Deficit:** Unmitigated cumulative impact of 136 dwellings across three allocated sites (TATa, TATb, TATc) on a Tier 3 Defined Village washed over by the Green Belt.
4. **Failure of Consistency with National Policy (Soundness Test 4) and Development Plan Conflict:** Direct violations of the NPPF (Green Belt, Landscape, Highway Safety) and the Adopted Tatsfield Neighbourhood Plan (TNP, Made June 2024).

2. Failure of Legal Compliance & Duty to Consult (Reg 19, Paragraph 1.12)

Under Paragraph 1.12, the Plan must demonstrate compliance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's adopted Statement of Community Involvement (SCI).

- **The Omission of Site TATc (TAT007) at Regulation 18:** In the Regulation 18 Spatial Development Strategy Consultation (July 2026) and the accompanying published HELAA Report (Tatsfield Sites), the promoted sites formally consulted upon for Tatsfield were strictly limited to TAT001, TAT002, TAT003, TAT004, TAT005, and TAT006. Site TAT007 / TATc (Land South of Ship Hill, TN16 2AH – 84 units) was never presented to the community or statutory consultees as a potential allocation option during Regulation 18.
- **Deprivation of Statutory Engagement:** Inserting an 84-dwelling estate-scale allocation on 4.2 hectares of sensitive open Green Belt directly into the Regulation 19 document deprives

the residents of Tatsfield, the Parish Council, and statutory bodies of their statutory right to early, effective engagement on reasonable alternatives. This constitutes a procedural breach of Regulation 18(1) and the SCI, rendering the process legally deficient.

3. Matters of Unsoundness: Allocation TATc (Land South of Ship Hill House – 84 Dwellings)

3.1 Not Justified: Direct Contradiction in the Council's Own Evidence Base

The allocation of Site TATc - HELAA Ref TAT007 and currently under consideration as planning application TA/2026/559 for 84 dwellings - is entirely unjustified when assessed against the Council's own HELAA site assessments:

- On adjacent site TAT001 (Ship Hill, 1.57 ha, 47 units), the Council's HELAA concludes the land is UNSUITABLE because: *"development would extend built form significantly beyond the established settlement edge into an area of open countryside... appear as a prominent and incongruous protrusion from the village rather than a logical extension... have an urbanising effect on the rural character... lies within the Green Belt and is subject to landscape sensitivities arising from its AGLV designation..."*
- It is irrational and legally flawed for the Council to conclude that TAT001 (1.57 ha / 47 units) is an unacceptable protrusion into open countryside and the AGLV, while simultaneously concluding that Site TATc/TAT007 (which is nearly three times the size (4.2 ha / 84 units) and immediately adjacent on the same rural ridge) is a 'contained and logical addition'. The evidence base is therefore arbitrary, self-contradictory, and legally indefensible.

3.2 Inconsistent with National Policy & the Development Plan (TNP)

Site TATc represents inappropriate development in the Metropolitan Green Belt:

- **Breach of Green Belt Purposes (NPPF):** Siting 84 homes on open grazing fields violates NPPF Paragraph 143(c) (safeguarding countryside from encroachment) and Paragraph 143(b) (preventing merger of settlements). The Council's assertion of 'provisional grey belt' status is invalid; agricultural paddocks outside an urban boundary do not constitute previously developed land.
- **Destruction of Notable Viewpoint 8 (TNP Policy TNP02D):** Siting a dense housing estate across this plateau directly obstructs visual corridor Viewpoint 8 (View across from Ship Hill, over the fields towards the old school building), which is protected under the adopted development plan to maintain the rural landscape transition.
- **Highway Safety & Country Lane Destruction (TNP Policy TNP02B, TNP09F & NPPF Para 115):** The access along Ship Hill involves steep topography (a 22m drop) and severe horizontal curvature. The Surrey Fire and Rescue Authority (SFRS) issued a formal holding objection to application TA/2026/559 because the access cannot safely support a 26-tonne appliance footprint. Widening the historic, un-kerbed lane to achieve visibility splays directly destroys the country-lane character legally protected under TNP Policy TNP02B.

4. Cumulative Impact of the Three Allocations on Tatsfield (Soundness: Justified & Effective)

Policy ALL2 allocates three separate greenfield sites in Tatsfield, totalling 136 dwellings:

- **TATa:** Land south of Lusted Hall Lane (40 dwellings)

- **TATb:** Land parcel south of Approach Road (12 dwellings)
- **TATc:** Land south of Ship Hill House (84 dwellings)

Allocating 136 homes represents an unsustainable, disproportionate expansion by almost 20% of Tatsfield's entire homes in a single plan period. The Plan provides zero cumulative modelling to prove how this volume of growth can be accommodated, rendering it fundamentally Unsound (Not Effective and Not Justified).

4.1 Breach of the Tier 3 Defined Village Role (Policy SP1 & Table 4)

Under Table 4 and Paragraph 5.22, Tatsfield is classified as a Tier 3 Defined Village washed over by the Green Belt. The strategic role of Tier 3 villages is explicitly defined as: '*Smaller settlements with defined settlement boundaries but with a limited range of services, capable of accommodating only modest, evidence-justified growth... closely related to local needs... that does not detract from both settlement and surrounding landscape character.'*

An addition of 136 dwellings (c.20% increase) is not 'modest'; it is a major suburban expansion that significantly impacts village services and fundamentally alters the rural character of an upland North Downs settlement.

4.2 Acute Infrastructure Deficits (Breach of Policy INF1 & Policy WAT4)

The Plan fails the 'Effective' test because the cumulative infrastructure requirements cannot be delivered:

- **Water Supply & Wastewater:** The baseline confirms that SES Water cannot support unmitigated development proposals in the district without substantial strategic reinforcement. Furthermore, the Oxted Wastewater Treatment Works is already operating beyond its consented flow. Adding sewage from 136 additional homes into this constrained network (in addition to those also proposed in Oxted) breaches Policy WAT4.
- **Highways and Traffic Network:** The combined daily traffic generation from 136 homes exceeds 600 daily vehicle movements onto single-track, unlit lanes (Lusted Hall Lane, Ship Hill, and Approach Road) that have an absolute absence of footpaths.
- **Healthcare and Education:** Tatsfield has only a single-form entry primary school and no full GP practice surgery. Introducing this volume of population expansion into a small village without committed capital expansion schemes breaches Policy INF1 and the 97% public mandate for infrastructure-first delivery.

4.3 Total Conflict with TNP Policy TNP03A

Under TNP Policy TNP03A (Housing Settlement Strategy), residential development outside the Defined Village Boundary is explicitly prohibited. All three sites (TATa, TATb, TATc) represent greenfield intrusions into the washed-over Green Belt outside the Defined Village. The Local Plan cannot be considered 'Consistent with National Policy' while it overrides the democratically adopted provisions of a recently Made Neighbourhood Plan without proper justification.

5. Requested Modifications to make the Plan Sound and Legally Compliant

To address these considerable flaws prior to submission to the Planning Inspectorate, Tatsfield Parish Council requests the following Main Modifications:

1. **Immediate Deletion of Site TATc (Land South of Ship Hill House – 84 dwellings):** Remove Allocation TATc from Policy ALL2 and the Policies Map in its entirety. The site suffers from an incurable procedural consultation defect, is contradictory to the Council's own HELAA findings on TAT001, destroys an identified AGLV and protected Viewpoint 8, and carries an unresolved emergency vehicle safety and national critical gas infrastructure holding objections.
2. **Re-calibration of Cumulative Village Numbers:** Reassess the combined capacities of TATa (40) and TATb (12) against the constraints of the Tier 3 Defined Village hierarchy and TNP Policy TNP03A.
3. **Mandatory Infrastructure Phasing Triggers:** In accordance with Policy INF1 and Policy WAT4, amend Policy ALL2 to include legally binding phasing conditions that prohibit development starts until SES Water and Thames Water certify that infrastructure capacity is fully operational.
4. **Mandatory On-Site BNG Enforcement:** Insert explicit criteria into Policy ALL2 enforcing a minimum 10% on-site Biodiversity Net Gain in accordance with TNP Policy TNP02G, barring the use of off-site habitat banking.

Conclusion

Tatsfield Parish Council formally requests that Tandridge District Council accepts these representations. Site TATc cannot legally or soundly be put forward to the Secretary of State.

The Parish Council confirms it is reserving its position to appear at the forthcoming independent Examination in Public to represent the Tatsfield community and defend the integrity of our adopted Tatsfield Neighbourhood Plan.