Chapter 23 Employment Land Allocation

This representation is from the Oxted & Limpsfield Residents Group. We would like the opportunity to speak at the Examination Hearing.

SES04: Westerham Road Industrial Estate, Tatsfield (also known as Moorhouse Tileworks)

23.1 As well as being in the Green Belt, this site is also within the Surrey Hills Area of Outstanding Natural Beauty. The changes to the Green Belt boundary proposed in this policy are not justified by robust evidence because:

23.1.1 The conclusions in the Area for Further Investigation (Green Belt Assessment Part 2 October 2016) and in the Green Belt Assessment (Part 3) Appendix 1 that the site does not meet the Green Belt purposes are flawed and do not follow recognised case law.

23.1.2 The Note of Advice by Paul Brown QC (included in our Chapter 14 representation at Appendix A) that we provided to Tandridge District Council in 2015 explains:

that what the review [ed: Green Belt Assessments] should be doing is asking whether there has been any change on the ground since the Green Belt was defined which has affected the role which that particularly site plays.

This means that the first question that any Green Belt Assessment should ask is whether there has been any change “on the ground”, and then whether that change is appropriate or inappropriate development. This assessment has not followed that approach.

23.1.3 The only change noted in the series of Green Belt Assessment documents for this parcel and this site is the expansion of the Moorhouse sand pits. Mineral workings are appropriate development in the Green Belt and so they are not relevant to the assessment.
23.1.4 The Green Belt Assessment also ignores the fact that planning permission for the operations at Moorhouse Sandpits is subject to conditions requiring the restoration of the land once operations cease. The closing of the previous sand pit and reclamation of some of the land in the interim period has already benefited openness, as can be seen from Figure SES04-1. The right hand edge of the blue box in the 1940s photograph shows the former sand pit, and the “present day” photograph shows that part of that area is now reclaimed.

![Figure SES04-1: Aerial photographs in the Green Belt Assessment (Part 1, Appendix A)](image)

23.2 In addition, a further comparison of the aerial photographs included in the Green Belt Assessment Part 1, Appendix A show two further changes “on the ground” since the Green Belt was designated.

23.3 The first is a new building where planning permission was granted linked to the manufacture of tiles along with hardstanding. The latest planning permission that we could find requires the demolition of the new building and reclamation of the expanded hardstanding areas for tile storage shown in the above photographs. This is shown in TA/94/9 which states approval is subject to conditions 4 and 5 which require the building to be demolished and the land reclaimed when tile production ceases.
23.4 While we understand that there has been some regularisation of other smaller buildings/extensions, we cannot find where this has occurred with the hardstanding or the larger building. Nevertheless, neither open storage nor hardstanding are built form, and so there is no harm to openness from these other changes.

23.5 A further flaw in the assessment of the purposes is that both the mineral workings and the site itself have been assessed in an artificially small area and so the conclusion that no purposes are fulfilled has been made by assessing an artificially small area. This is an incorrect approach. Instead, the assessment should be considering the role the land plays in the wider Green Belt.

23.6 The method used in a number of other Green Belt Assessments share these same two flaws. This means that the performance against the purposes has been unjustifiably understated. In this case, these flaws lead to the incorrect conclusion that exceptional circumstances exist sufficient to justify removing the Green Belt designation.

23.7 The purposes in the wider context are assessed in 2016 ColReg Appendix 3 (included in our Chapter 14 representation at Appendix B). We have no change to the conclusions in Appendix 3 that the parcel continues to fulfil the Green Belt purposes after correctly considering the changes “on the ground” as shown above.

23.8 In summary, the land continues to fulfil the purposes of the Green Belt because the changes that have occurred are “appropriate development” which is subject to
restoration conditions which will ensure that the site continues to fulfil its original Green Belt functions, and/or there is minimal impact from the change when considered in the wider context of Green Belt land between Oxted and Westerham. The site is in the AONB. The NPPF states that great weight should be given to conserving and enhancing the AONB.

23.9 Therefore, the conclusion in the Green Belt Assessments Part 3 that the land at Westerham Road Industrial Estate/Moorhouse Tileworks no longer fulfils the purposes of the Green Belt is not supported by evidence, and so it is not justified or consistent either with national policy or case law.

23.10 Furthermore, there is no need element in the exceptional circumstances case because the 2015 AECOM ENA shows an excess of industrial land in the District. There is also no evidence that the Green Belt has been a barrier to ongoing developments on the site. As explained in our representations on Chapter 11, the 2017 GL Hearn ENA vastly inflates the need for industrial land in the District and so the employment land projection results are an unrealistic scenario for a predominantly rural district like Tandridge.

23.11 In conclusion, there are no exceptional circumstances that would justify the alteration of the Green Belt boundary around Westerham Road Industrial Estate/Moorhouse Tileworks and so SES04 is not sound. We believe that the flaws identified here also apply to a number of the other employment sites that are being proposed to be taken out of the Green Belt.