You will be aware that this application is part of a series of applications intended to coerce Tandridge and/or Sevenoaks planners into granting consent for large scale development on Green Belt land and in areas of Outstanding Natural Beauty. Much to the detriment of the Surrey Hills, the North Downs and the communities which these protected areas serve.

The current application before you if granted, would, create a precedent which would make it extremely difficult for either LPA to refuse future additional development of the subject sites and similar Green Belt AONB sites. If Tandridge were to consent the present application and the precedent was then applied to the “Which Way Westerham” proposals then it is almost inevitable that 600 houses would be built together with a “Relief Road” to alleviate the consequent gridlocked, highly polluted and dangerous road that the A25 would become.

In short, the applicants are asking you to grant consent for large scale warehousing and storage which would spew out hundreds of vans, HGV’s and cars every day onto a totally unsuitable road. Then to create further traffic chaos by building 600 houses with consequent traffic movements, in Westerham. Then to solve the “traffic problem” with a “Relief Road” which would join the sites of the 600 houses and the Moorhouse site. This would, of course, itself then create further opportunities for additional development along the length of the “Relief Road” resulting in ever more traffic. A competent planner might well consider this scenario as planning madness.

Where large scale development is applied for in Green Belt and AONB locations then particular guide lines apply. These mean that no LPA should permit such development unless there is a - demonstrable planning benefit to the local community. Clearly in this instance the benefit of a small growth in employment at Moorhouse would not outweigh the considerable detriment of the intolerable strain on local infrastructure and the loss of an important protected land area.

In view of the specific nature of applications within Green Belt and AONB areas, should you be minded to consider granting consent for the Moorhouse Tile Works site then I wish to draw your attention to the following recent judgement in planning law.

In September 2016 Lord Justice Laws and Lord Justice Simon, sitting in the Court of Appeal gave judgement in the case of Dover District Council v The Campaign to Protect Rural England.

This Appeal was in respect of a planning consent granted by Dover DC for development in an Area of Outstanding Natural Beauty.

The Council’s planning committee argued that the development would encourage investment in the town.
The CPRE argued that the development in an AONB would cause substantial harm to what was meant to be a protected area.

Allowing the Appeal against permission Lord Justice Laws said that the National Planning Policy Framework was at the centre of the case. He drew particular attention to the key paragraph of the Framework which stated that “great weight” should be given to conserving landscape in protected areas and that planning permission should be refused “except in exceptional circumstances” where it could be demonstrated that they were in the public interest. So, there should always be a presumption for refusal.

The Law Lords agreed with the CPRE that the planning committee had “failed to give legally adequate reasons” for granting permission.

The CEO of CPRE said that the Court of Appeal ruling made it clear that local authorities must not approve major developments in protected areas unless they had clearly established that there were “exceptional circumstances”. He continued “As a nation we have given special protection to our finest landscapes, such as the Kent Downs. That protection must not be lightly overridden”.

The Chairman of CPRE Kent expressed the opinion that "this Ruling was important to the principles of planning law".

Clearly there are striking similarities in the application granted by Dover, subsequently overturned by the Court of Appeal, and this application now before Tandridge for consideration. It would seem that The Court of Appeal Ruling of only a short while ago needs to be taken into consideration as having established recent precedent. Feeling in the local communities is now running so high in the case of the Moorhouse application that any consent would be likely appealed, funded by HNWI resident donations and community funding. If a consent for the Moorhouse site were to come before the Appeal Court in the light of their recent ruling at Dover, then it would seem probable the Law Lords would reach a similar decision and overturn the permission.

I trust that our elected representatives who are entrusted with safeguarding and preserving the rights and quality of life of their local communities - and future generations - will firmly resist and decisively refuse this application.

Derek Stirling

1 Quebec Avenue
Westerham
Kent TN16 1BJ