

### ITEM 4.3

**Application:** 2023/1251

**Location:** Communal Block, Newhache Dormansland, Lingfield, Surrey, RH7 6PX

**Proposal:** Conversion of disused community space on the ground floor of a two storey block of flats, into a two bedroom flat.

**Ward:** Dormansland and Felcourt

**Decision Level:** Committee

#### Constraints

ASAC, Ancient woodland(s) within 500m, Green Belt settlement area(s), Gatwick Bird Strike Zone, Gatwick Safeguarding 90m, Green Belt area, Legal Land Terrier 9/32, Local D Road – Newhache, Local D Road- Locks Meadow, Risk of flooding from surface water – 1000, Special Protection Area(s).

#### **RECOMMENDATION:**

**PERMIT**

1. This application is reported to Committee as it is Council owned land.

#### **Summary**

2. Planning permission is sought for the conversion of disused community space to a two bedroom flat. While the loss of community space is contrary to Policy, it is recognised that this type of use is redundant in this location and that the community facility formed an ancillary function within an area of sheltered housing.
3. In terms of Green Belt Policy, the proposal would be compliant with the requirements of Policy DP12. The development proposal would be acceptable in terms of the impact on the character and appearance of the area, neighbour amenity and the amenities of future occupiers. With regard to parking, while there would be a shortfall in this regard, the application site is located in a sustainable area and the development of 1 unit is unlikely to result in an adverse impact on parking in the locality. Furthermore, it is noted that the proposal would utilise redundant space within social housing flats and provide an additional property to the Council's social housing stock which would be a benefit. For these reasons the recommendation is for conditional approval.

#### **Site Description**

4. The application site is located within Dormansland, a defined village within the Green Belt. It is also within 500 metres of Ancient Woodlands and an area at risk of surface water flooding at 1:1000 years.
5. The site itself is located to the west of Dormans High Street to the south of a subsidiary residential Road, Newhache. The proposed dwelling would be located within an existing residential building with one flat on the first floor, utilising the vacant community space on the ground floor.
6. There is a communal garden space with mature landscaping to the south of the property, and parking comprises a car park of 26 spaces and on street parking.

## **Relevant History**

7. Erection of two blocks of eight aged persons flats on about 1 1/4 acres of land Approved 16/01/1960
8. GOR/3152A  
Erection of 18 flats in three blocks on approx. 1 1/5 acres of land Approved 22/04/1958
9. GOR/3152  
Housing Approved 10/02/1958

## **Key Issues**

10. The site is located within Dormansland, a defined village in the Green Belt. The key issue is whether the development proposal constitutes inappropriate development and, if so, whether there are any Very Special Circumstances which would outweigh the harm to the Green Belt. Other key issues would include loss of community floorspace, character and appearance, neighbour amenity and the amenities of future occupiers, highway safety and parking.

## **Proposal**

11. The development proposal would comprise the conversion of disused community space on the ground floor of a two storey building, into a two bedroom flat.
12. The flats in this locality make up part of Tandridge District Council's social housing supply. Originally, the housing was used for elderly residents as sheltered accommodation and included community space. However, approximately 5 years ago the flats changed to accommodate general housing needs and, consequently, the community space is no longer required.
13. On this basis, the ground floor within the block is intended to be utilised to provide an additional two bedroom flat. The changes would be largely internal with no extensions required. The gardens in this locality are communal, and there is currently a car park and roadside parking which is used by all residents.

## **Development Plan Policy**

14. Tandridge District Core Strategy (2008) Policies CSP1, CSP12, CSP13, CSP18.
15. Tandridge Local Plan – Part 2: Detailed Policies (2014) Policies DP1, DP2, DP5, DP7, DP10, DP12, DP18

## **Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs) and non-statutory guidance**

16. Tandridge Parking Standards SPD (2012)
17. Tandridge Trees and Soft Landscaping SPD (2017)
18. Woldingham Design Guidance SPD (2011) N/A

19. Woldingham Village Design Statement SPD (2005) N/A
20. Harestone Valley Design Guidance SPD (2011) N/A
21. Lingfield Village Design Statement (SPG) N/A
22. Bletchingley Conservation Area Appraisal (SPG) (2002) N/A
23. Surrey Design Guide (2002)

### **National Advice**

24. National Planning Policy Framework (NPPF) (2023)
25. Planning Practice Guidance (PPG)
26. National Design Guide (2019)

### **Consultation Responses**

27. County Highway Authority

As it is not considered that the likely net additional traffic generation, access arrangements and parking would have a material impact on the safety and operation of the public highway, the highway authority were not consulted on this application.

28. Dormansland Parish Council

Dormansland Parish Council has no objections so long as adequate parking spaces are made available for the new residents / flats.

### **Public Representations/Comments**

29. Third Party Comments

None received.

### **Assessment**

#### Procedural note

30. The Tandridge District Core Strategy and Tandridge Local Plan Part 2: Detailed Policies predate the NPPF as published in 2023. However, paragraph 225 of the NPPF (Annex 1) sets out that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF document. Instead, due weight should be given to them in accordance with the degree of consistency with the current NPPF.

#### Sustainability

31. The application site lies outside the settlement areas of the district, and development is not generally encouraged on sustainability grounds as it would not accord with the requirements of Policy CSP1 which seeks to promote sustainable patterns of travel and in order to make the best use of previously developed land and where there is a choice of mode of transport available and

where the distance to travel services is minimised. The NPPF sets out similar requirements. Policy DP1 of the Local Plan (2014) advises that when considering development proposal, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. However, Dormansland is identified within DP12 as one of the defined villages in the Green Belt where some development, including the partial or complete re-development of previously developed land, is considered to be acceptable in principle subject to it being in character with the village and complying with any other relevant policies.

#### Loss of community floorspace

32. Policy CSP13 of the Core Strategy seeks to safeguard the loss of community space. Paragraph 97 of the NPPF reflects this and, in particular part C sets out the importance of 'guarding against unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.'
33. Policy DP18 permits the loss of community facilities where there is no longer a demand for it. This should be demonstrated through
  - an active 12 month marketing exercise, where the building has been offered for sale or letting on the open market at a realistic price and no reasonable offers have been refused;
  - there are similar facilities nearby or alternative provision can be made on another site to the same or a higher standard;
  - The current use will be retained and enhanced by the development
34. The flats were originally constructed for use as sheltered housing with a community space provided comprising 77 square metres to allow the occupants to socialise in comfort. The community space is known to have been an ancillary feature of the sheltered housing accommodation. However, approximately 5 years ago the use of the buildings were altered and the sheltered housing in this locality is now used to fulfil general housing needs. As such, the community area is now unoccupied, and the space is vacant. For this reason, it is considered that the space is better suited as an additional flat which would provide another dwelling for use as social housing which is in short supply. Officers note that some facilities are still provided, for example, a laundry room.
35. The provision of community use facilities for sheltered housing is no longer required. Tandridge District Council is striving to increase its supply of social housing so letting or selling this building would not be an option.
36. In this instance the community space is an ancillary feature of a use that is no longer in operation. As the remainder of the premises is being used as self-contained residential accommodation it would not be appropriate to use this area for community activities as any use is likely to result in amenity concerns for occupiers. Selling or leasing the space for outside use when there is a pressing need for social housing would not be considered a viable option in this case.
37. As such, the development proposal, while not entirely compliant with the above- mentioned policies, would be considered an acceptable alternative to the community use.

## Green Belt

38. The NPPF supports the protection of Green Belts and the restriction of development within these designated areas. Paragraph 142 of the NPPF states that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open, the essential characteristics of the Green Belt being its openness and permanence.
39. Paragraph 155 of the NPPF states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. This includes at section (d) “the re-use of buildings provided that the buildings are of permanent and substantial construction.”
40. Policy DP10 of the Local Plan reflects paragraphs 152 - 153 of the NPPF in setting out that inappropriate development in the Green Belt is, by definition, harmful and that substantial weight must be attributed to this harm. Permission should only be granted where very special circumstances can be demonstrated to outweigh the harm by reason of inappropriateness and any other harm identified.
41. Policy DP12 sets out appropriate development in the Green Belt including, among other things, infilling, re-development and other forms of development providing they are in character with the village and comply with other relevant policies. This policy also allows for any other form of development that is defined by the National Planning Policy Framework as not being inappropriate in the Green Belt which is the case here as a result of paragraph 155 of the NPPF.
42. As set out earlier, the development proposal seeks to re-use a redundant space within an existing building. The conversion would not require any extensions, although there would be some alterations to fenestration.
43. As such, there would be no increase in volume and no impact in terms of openness within the Green Belt. The development is not, therefore, inappropriate development in the Green Belt.

## Character, appearance and design

44. Paragraph 139 of the NPPF states that development should reflect local design policies and guidance taking into account supplementary planning documents. Significant weight should be given to this and/or outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design generally, providing it fits in with, or enhances, the character and appearance of the locality.
45. Policy CSP18 of the Core Strategy requires that new development should be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.
46. Policy DP7 of the Local Plan Part 2: Detailed Policies requires development to, inter alia, respect and contribute to the distinctive character, appearance and amenity of the area in which it is located, have a complementary building design

and not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design.

47. Policy DP12 of the Local Plan Part 2: Detailed Policies advises that development in the Defined Villages in the Green Belt will be permitted where the proposal comprises one of six forms of development. Of relevance to this proposal is Criterion (2) 'The partial or complete redevelopment of previously developed land, even if this goes beyond the strict definition of infilling.' Part B sets out that, 'in all circumstances, infilling, redevelopment and other forms of development must be in character with the village, or that part of it, and will be subject to any other relevant Development Plan policies'.
48. The development proposal would utilise the now redundant community area within the building and, as such, the majority of the alterations would be internal. In terms of design, there would be some alterations to the fenestration serving the living area on the northern elevation, and the bathroom, hallway and bedroom two on the southern elevation. However, the changes would be in keeping with the existing 1950's building, and the character and appearance of the area as a whole.
49. For these reasons, the proposal would not have a significant impact in terms of character and appearance and would therefore comply with Core Strategy Policy CSP18 and Local Plan Part 2: Detailed Policies DP7 and would not result in harm to the visual amenity of the area.

#### Residential Amenity

50. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect. Criteria 6-9 of Policy DP7 of the Local Plan Part 2: Detailed Policies seek also to safeguard amenity, including minimum privacy distances that will be applied to new development proposals.
51. The above Policies reflect the guidance at Paragraph 135 of the NPPF, which seeks amongst other things to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users of development.
52. As set out earlier in the report, there would be no increase in the bulk and massing of the building. The fenestration would look out onto the highway at the front of the building, and the communal gardens at the rear, like the neighbouring flats in the block. As such, any impact on neighbouring properties would be minimised.
53. All other properties in neighbouring accommodation would be a sufficient distance for any impact in terms of amenity to be minimised, and any views between the future occupiers and houses to the rear (south) of the application site would be obscured by existing boundary treatment.
54. For the reasons outlined, the proposal would be considered acceptable in terms of the potential impact upon the residential amenities and privacy of existing properties and therefore no objection is raised in this regard against Policy DP7 of the Local Plan Part 2: Detailed Policies (2014) and Policy CSP18 of the Core Strategy (2008).

#### Living conditions for future occupiers

55. Policy DP7 also requires that development provide acceptable living conditions for occupiers of the new dwelling.
56. The proposed 2 bedroom flat (as shown on the submitted drawings) would conform to the required space standards contained within the Nationally Described Space Standards with regards to internal floor space. In addition, the fenestration arrangements would be sufficient to provide natural light and adequate outlook for all habitable rooms associated with the dwelling.
57. The garden space for the proposed dwelling would be located to the south on land currently used communally for amenity purposes for the occupiers of the flats in this location. This space would also be available for future occupiers of the development proposal and would provide adequate amenity space for them.
58. Bins would also be stored within the external amenity area, and there is sufficient space for this without impacting on the amenity of future occupiers or the occupiers of neighbouring properties.
59. For the above reasons, the proposed development would provide acceptable accommodation for future occupiers and would comply with Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

#### Parking Provision and Highway Safety

60. Policy CSP12 of the Core Strategy advises that new development proposals should have regard to adopted highway design standards and vehicle/other parking standards. Criterion 3 of Policy DP7 of the Local Plan Part 2: Detailed Policies 2014 also requires new development to have regard to adopted parking standards and Policy DP5 seeks to ensure that development does not impact highway safety.
61. Paragraph 109 of the NPPF makes it clear that the planning system should actively manage patterns of growth in support of these objectives, explaining that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Taken together, these NPPF paragraphs indicate that regard should clearly be had to matters of scale when sustainability is being considered.
62. It is noted that Dormansland Parish Council raise no objection to the development proposal providing parking spaces were supplied for future occupiers.
63. The flats in this location (32 in total) do not comply with Tandridge Parking Standards, providing 26 spaces within a car park and designated parking bays. The flats were originally used for sheltered housing, and the Parking Standards requirements are lower for such a use (one parking space per unit or individual assessment/justification) than for non-sheltered housing.
64. The Parking Standards for general housing require 1.5 spaces per 1 and 2 bedroom unit (for unallocated parking). This would suggest that a total of up to 48 car parking spaces should be available for the occupants of the entire development. Notwithstanding this, on-street parking is available on Newhache

and Lockmeadow which could potentially provide sufficient parking and therefore alleviate any local parking demand.

65. Furthermore, there is a bus stop at the junction of Newhache and Dormans High Street, and facilities such as a village shop, church and school are available some 350 metres along this road, which is paved and lit. As such, the proposed development would be considered to be in a sustainable location with access to facilities to support day to day living.
66. In summary, it is recognised that there is a shortfall of parking and a conflict with the abovementioned Policies as a result of this. However, it is considered that other material considerations, most notably the increase in social housing accommodation and the sustainable location give reason to find the available parking provisions acceptable. Given the modest scope of this development, officers do not consider that the addition of 1 unit would result in the locality being overwhelmed by parking need in the locality. With this in mind, officers conclude that harm would not arise that would make the development unacceptable.
67. As such, the development proposal is considered to be compliant with Policy CSP12 of the Tandridge Core Strategy 2008 and DP5 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

## **Conclusion**

68. Planning permission is sought for the conversion of disused community space (situated within a former sheltered housing block) in order to create a two bedroom flat. The community space formed an ancillary part of sheltered housing accommodation which has now ceased to operate (as the premises now provides self-contained accommodation). Given the ancillary nature of the community space, and the inappropriateness of alternative community use on amenity grounds, it is considered that there is no significant conflict with Policy DP18 in this instance.
69. In terms of Green Belt policy, the proposal would be compliant with the requirements of Policy DP12. The development proposal would be acceptable in terms of the impact on the character and appearance of the area, neighbour amenity and the amenities of future occupiers. With regard to parking, while there would be a shortfall in this regard, the application site is located in a sustainable area and the development of 1 unit is unlikely to result in an adverse impact on parking in the locality. Furthermore, the proposal would serve to add another property to the Council's social housing stock which would be a benefit. For these reasons the recommendation is for conditional approval.
70. The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to Policies CSP1, CSP12, CSP13 and CSP18 within the Tandridge District Core Strategy 2008 and Policies DP1, DP5, DP7, DP10, DP12 and DP18 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with the NPPF 2023. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.
71. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.



## Conditions

### 1. Three year time limit

The development hereby permitted shall start not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

### 2. Plans

This decision refers to drawings and information received:

Proposed north elevation	No 2.1.2	Rec: 19.12.2023
Proposed south elevation	No 3.1.2	Rec: 19.12.2023
Proposed east elevation	No 4.0	Rec: 13.10.2023
Proposed west elevation	No 5.0	Rec: 13.10.2023
Proposed ground floor plan	No 1.1.2	Rec: 19.12.2023
Proposed site plan		Rec: 13.10.2023
Location plan		Rec: 13.10.2023

The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

Reason: To ensure that the scheme proceeds as set out in the planning application and therefore remains in accordance with the Development Plan.

### 3. Matching materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing dwelling.

Reason: To ensure that the new works harmonise with the existing building to accord with Policy CSP18 of the Tandridge Local Core Strategy 2008 and Policy DP7 and DP10 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

## Informatives:

1. Condition 2 refers to the drawings hereby approved. Non-material amendments can be made under the provisions of Section 96A of the Town and Country Planning Act 1990 and you should contact the case officer to discuss whether a proposed amendment is likely to be non-material. Minor material amendments will require an application to vary condition 2 of this permission. Such an application would be made under the provisions of Section 73 of the Town and Country Planning Act 1990. Major material amendments will require a new planning application. You should discuss whether your material amendment is minor or major with the case officer. Fees may be payable for non-material and material amendment requests. Details of the current fee can be found on the Council's web site.
2. The development has been assessed against Tandridge District Core Strategy 2008 Policies CSP1, CSP12, CSP13 and CSP18, Policies DP1, DP5, DP7, DP10, DP12 and DP18 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with the NPPF 2023 and material considerations. It has been concluded that the development, subject to the conditions imposed, would accord with the development plan and there are no other material considerations to justify a refusal of permission.
3. The Local Planning Authority has acted in a positive and proactive way in determining this application, as required by the NPPF (2023), and has assessed the proposal

against all material considerations including the presumption in favour of sustainable development and that which improves the economic, social and environmental conditions of the area, planning policies and guidance and representations received.