

### ITEM 5.3

**Application:** 2020/2044

**Location:** Mansion House Farm, Crowhurst Lane, Crowhurst, Lingfield, Surrey, RH7 6LR

**Proposal:** Demolition of three agricultural buildings. Conversion of two agricultural buildings to form 2no. dwellings. Erection of detached single storey garage building with associated landscaping and parking areas.

**Ward:** Lingfield and Crowhurst

#### **Decision Level: Planning Committee**

*Constraints – GB, Listed Building (Grade II\*), SPA, TPO within 10m, AHAP, AWOOD within 500m, ASAC, Public Footpath 315, 1 in 1000-year surface water flood area, Biggin Hill Safeguarding (91.4m), Gatwick Safeguarding (90m)*

**RECOMMENDATION:** **PERMIT subject to conditions**

This application has been referred to Committee for decision by Cllr Lockwood.

#### **Summary**

1. The proposal is for the demolition of three agricultural buildings and the conversion of the two remaining agricultural buildings (shown as 'Shed 2' and the 'Dairy Barn' on the existing plans) to form two dwellings. It also includes the erection of detached single storey garage building to provide covered parking for 4 vehicles with associated hard and soft landscaping for any additional visitor parking/servicing. The resulting dwellings would not be considered inappropriate development in the Green Belt however the garaging would be considered inappropriate development. Nevertheless, there are sufficient 'very special circumstances' in this case to outweigh any harm identified.
2. The proposal would respect the character and appearance of the prevailing area, the setting, as well as the setting of the Grade II\* Listed Building to the west. It would also respect the local context and there would be no significant harm to neighbouring amenities. Furthermore, there would be no significant impact upon the wider highway network and the renewable energy provision would be acceptable. It is therefore recommended that this application is granted planning permission.

#### **Site Description**

3. The site, located on eastern side of Crowhurst Lane, is located within the Green Belt area of Crowhurst. The site is also partly within an Area of High Archaeological Potential and within the Special Protection Area buffer zone.
4. The site currently consists of 5 large agricultural buildings; 4 of which are labelled as 'sheds' on the existing drawings and 1 dairy barn. There is currently vehicular access to the site opposite St. Georges Church and is shared with, and sited to the north of, the nearest dwelling (namely Mansion House) which is a Grade II\* Listed Building. Adjacent to the access drive is public footpath 315.

5. The surrounding area is predominantly rural in character with sporadic residential properties in the immediate locality which all vary in character, form and design.

### **Relevant History**

6. 2018/1320/NC – Change of use of agricultural building to class C3 (Dwelling) (Prior Approval Class Q Part 3 Schedule 2) – Prior Approval Refused 16<sup>th</sup> August 2018 due to insufficient information in respect of claimed agricultural use of the site and the residential use of the building being ‘undesirable’. This proposal related only to the building to the north of the collection (labelled ‘Dairy Shed’ in this application) and did not include the buildings to the south and east.
7. 2018/1316/NC – Change of use of agricultural building to flexible use Class A1 (shops), Class A2 (Financial and Professional Services), Class A3 (restaurants and cafes), Class B1 (business), Class B8 (Storage or Distribution), Class C1 (Hotels), Class D2 (assembly and leisure) (Prior Approval Class R, Part 3, Schedule 2) – Prior Approval Refused 16<sup>th</sup> August 2018
8. 2018/246 – Demolition of existing buildings. Erection of 4 dwellings and associated parking. Refused 29<sup>th</sup> March 2018
9. 2016/2397 – Demolition of existing buildings. Erection of 4 dwellings with associated parking. Refused 29<sup>th</sup> March 2018
10. 2015/1797 - Demolition of existing buildings and the erection of 4 dwellings and associated parking - Refused 22<sup>nd</sup> February 2016.
11. The existing farm buildings were permitted under references GOR/8111 in 1967 and GOR/312/71 in 1971. These are the subject of redevelopment under this application.

### **Key Issues**

12. The property lies within the Green Belt area of Crowhurst. The key issues are the overall impact upon the Green Belt and the need for additional buildings resulting from this development. Other issues include whether the proposal would have an acceptable impact upon the adjacent Grade II\* Listed Building, the character and appearance of the area, adjoining properties, the highway, trees, ecology and whether acceptable renewable energy provision is proposed.

### **Proposal**

13. It is proposed to demolish three agricultural buildings; the central barn labelled ‘Shed 1’ on the existing layout plan and ‘Sheds 3 and 4’. It is then proposed to convert the two remaining agricultural buildings to form 2no. dwellings. The proposals also include the erection a detached single storey garage building to accommodate 4 vehicles (in the approximate area of Sheds 3 and 4 to be demolished though smaller in area) with associated hard and soft landscaping which would provide for additional visitor/servicing parking.
14. The resulting dwellings would utilise the existing vehicular access serving Mansion House Farm. There would be a total of 4 designated car parking spaces located within the detached garage building which is to be located to the easternmost part of the site. Both resulting units would have private garden

spaces with areas sufficient to provide storage and a soft landscaped area between the two resulting dwellings.

### **Development Plan Policy**

15. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP4, CSP7, CSP11, CSP12, CSP14, CSP15, CSP17, CSP18 and CSP19
16. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP5, DP7, DP9, DP10, DP13, DP14, DP19, DP20, DP21 and DP22
17. Woldingham Neighbourhood Plan 2016 – Not applicable
18. Limpsfield Neighbourhood Plan 2019 – Not applicable
19. Caterham, Chaldon and Whyteleafe Neighbourhood Plan – post referendum version (June 2021) – Not applicable
20. Emerging Tandridge District Local Plan (2033) – Policies TLP01, TLP02, TLP03, TLP11, TLP18, TLP19, TLP32, TLP35, TLP, TLP37, TLP43, TLP44, TLP47, TLP50

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

21. Tandridge Parking Standards SPD (2012)
22. Tandridge Trees and Soft Landscaping SPD (2017)
23. Surrey Design Guide (2002)

### **National Advice**

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

### **Statutory Consultation Responses**

27. County Highway Authority – The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the proposed development would not have a material impact on the safety and operation of the adjoining public highway, subject to conditions.
28. Crowhurst Parish Council – Objection on the following grounds:
  - Inappropriate development in the Green Belt with no ‘Very Special Circumstances’
  - Significant adverse effect on openness and significant encroachment into the countryside
  - Site is in a prominent location
  - Fails to reflect the character of the site and surrounding historic buildings in the area

- Serious material impact upon the setting of at least three historic buildings
- Size and scale of barns larger than the historic building to the west (Mansion House)
- Excessive use of glazing not in-keeping with rural character of the area
- Unsustainable location (with twice a week bus service) heavily reliant upon a private car
- Additional cars causing highways issues
- Doesn't include any features which support the Climate Emergency Statement made the Parish Council (limited external lighting, zero carbon production, tree planting for every 10sqm of new build)
- Noise, light, activity, clutter impact which is in full view of a Grade I Listed Building (namely Crowhurst Place)
- Overlooking and loss of privacy to neighbouring properties
- Excessive use of glass creating glare to neighbouring properties

29. County's Historic Buildings Adviser – *'I agree with the conclusions of the heritage statement on page 15 that the current situation as regards the visual setting of the various listed buildings is not worsened (during the daytime) by the proposed development. However the introduction of domestic traffic and noise to the rear of the Mansion House Farm and the enlargement of the domestic settlement will have a modest effect on all the listed buildings which currently comprise a very modest hamlet. Crowhurst is unlike the villages that have grown up around virtually every other parish church in Tandridge District.*

*I have assessed the proposal in accordance with policies 190 and 193 of the NPPF and find that there will be slight harm to the setting of the nearby listed buildings which will need to be offset by other material planning benefits if the policies of the NPPF, as a whole, are to be fully satisfied.'*

### **Non-statutory Consultation Responses**

30. Surrey Wildlife Trust – Commented as summarised below:

The submitted ecological report involves the preliminary Bat Roost Assessment and Bat Activity Surveys. There is no constraint or objection to the demolition of Building (B1). However, the ecology report is unclear in its conclusions regarding the presence or active bats within Building (B2) in line with best practice survey guidelines, or else to characterise and appropriately compensate for loss of active roosts as a result of development. Bats are protected species and therefore should be adequately addressed prior to determination.

Furthermore, survey of the adjacent pond and all necessary measures to avoid adverse impacts on Great Crested Newts in line with the legislation should be presented to the Council for approval in writing prior to the commencement of any works on site in order to avoid contravention of the legislation.

With regard to measurable net gain for biodiversity, the applicant should be required to implement in full the enhancement recommendations within Section 6 of the submitted report.

### **Other Representations**

31. Third Party Comments – The main concerns raised are:

- Buildings in question remain in use
- Detrimental impact upon the openness of the Green Belt

- Inappropriate development in the Green Belt with no 'Very Special Circumstances' to outweigh the harm
- Would not result in infilling in the Green Belt
- No social, environmental or economic benefits
- Heritage asset impact – fails to enhance and would not be appropriate for the historic context and setting resulting in substantial harm
- Unsustainable and isolated location
- Proposal does not overcome previous refusals
- Out of character with rural location
- Harm to landscape features and public views from footpath 315
- Additional clutter and urban activity from domestic use harmful to character
- Works to provide dwellings are significant and would not constitute conversion works without major alterations
- Overlooking/loss of privacy to neighbours
- Other substantial harm to neighbours by way of noise, visual intrusion and traffic
- Increased traffic onto the highway network from the proposed use
- Dangerous from a highway safety perspective given site prominence
- Harm to green infrastructure
- Impact on wildlife, nature conservation, habitats and biodiversity (including protected species)
- Does not conform to the Governments Environmental Bill
- No affordable housing provision – OFFICER COMMENT: Not required as this development does not meet the affordable housing threshold
- Description of development and existing buildings incorrect in Planning Statement – OFFICER COMMENT: This has no bearing upon the LPAs determination of the application
- Private access/right of way to adjoining property not mentioned in planning submission – OFFICER COMMENT: This is not a material planning consideration as highway/access matter will be considered by the LPA.

## **Assessment**

### Procedural note

32. The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2019. However, paragraph 213 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 Framework document. Instead, due weight should be given to them in accordance to the degree of consistency with the current Framework. Principle and location of development

### Principle of the development

33. Tandridge District Core Strategy 2008 Policy CSP1 does not identify this site a Settlement. Application 2018/246 was refused on the ground that the site is situated in an unsustainable location which is remote from key services and facilities and is not easily accessible by modes of transport other than the private car. It was considered that the previous proposal would have led to a car-reliant form of development which was contrary to the NPPF 2018 and Policy CSP1 of the Core Strategy DPD 2008, and Policy DP1 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014 However, since this decision has

been issued, the NPPF 2019 has been adopted and Paragraph 79 of this document states that:

*‘Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
- d) the development would involve the subdivision of an existing residential dwelling; or*
- e) the design is of exceptional quality, in that it:*
  - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
  - would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.’*

34. In policy terms, residential development on this site would not be in an ideal location as it would be contrary to Core Policy CSP1 and Detailed Policy DP1. However, the site is not in an isolated location given its close proximity to nearby dwellings and case law regarding the definition of ‘isolated’. The agent has confirmed that, since the submission in 2018, the existing agricultural buildings are now no longer fit-for-purpose and, following rationalisation of the farm holding, are described as *‘physically locationally peripheral’*. They further confirm that the whole purpose of the rationalisation is to achieve a far more efficient distribution of farm buildings to serve a variety of purposes across a land holding of approximately 2000 acres. This has to be done in order to respond to the changing needs of the market, the recent decision to withdraw from the EU (and as a consequence the availability of CAP) and changing technology. The agent further confirms that there are currently no plans to replace the form of agricultural accommodation found at the Mansion House Farm yard on a like-for-like basis or in the foreseeable future.
35. As such, the proposal would re-use potentially redundant or disused buildings and the reduction in the built form within the site would enhance its immediate setting. The Council, based on this information, no longer consider that the site is unsustainably located, even though there would be reliance upon the use of a private motor vehicle. This reliance would not result in isolation as defined by Paragraph 79 of the NPPF 2019 and, as such, it is not considered that the LPA could substantiate a refusal of planning permission on this matter alone as it is not considered to be so isolated to warrant the refusal of permission in relation to Core Strategy Policy CSP1 and Detailed Policy DP1.
36. Therefore, the principle of the development would be acceptable subject to the resulting development not be considered inappropriate development in the Green Belt and the development being acceptable on all other grounds.

## Green Belt

37. The site is located within the Green Belt area of Crowhurst. Paragraph 143 of the NPPF 2019 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 146 provide exceptions to development which is considered inappropriate provided they preserve Green Belt openness and do not conflict with the purposes of including land within it. Paragraph 146(d) states that *'the re-use of buildings provided that the buildings are of permanent and substantial construction'* would fall under one these exceptions. Local Plan Policy DP13 reiterates these exceptions under criterion H and seeks to ensure that any proposal *'is not likely to result in the need to construct additional agricultural buildings, unless it can be demonstrated that the building to be re-used is no longer suitable for an agricultural use'*.
38. The proposed development seeks to provide two units which would result from the conversion of two buildings that already exist within the site. The remaining buildings within the site would be demolished as part of the redevelopment. The agent has provided justification for the need of the buildings which is discussed in 'Principle of the development' section earlier in this report.
39. The applicant has provided a Structural Survey which confirms that the building known as the 'Dairy Shed' would very likely need to be underpinned to allow it to be converted into a dwelling. In addition, the floor slab will likely need replacing however the walls can provide the walls of the resulting dwelling with some local repairs expected. The original window openings could be opened up with necessary lintel support and, although the roof would likely need to be replaced and some roof trusses repaired, the roof trusses and rafters show no signs of corrosion and are likely to require repair rather that replacement. It is considered that the building, subject to the works detailed above, would be capable of conversion without significant rebuilding.
40. The Structural Survey further confirms that the building known as 'Shed 2' does not have columns on one side as the eaves of the roof rafters are connected to the columns of 'Shed 1' to be demolished. The survey confirms that this would complicate the ability to convert the building in question however this would still be possible subject to strengthening works to the steel columns. The building shows no signs of distress through ground movement although it does support minimal walls. If strengthening was required, it would involve mini-piling to increase the depth or width of the foundations which is relatively straight forward. The floor slab will require further investigation however, if this needs to be replaced, it would not render the conversion impossible. It may be that the supporting columns between Sheds 1 and 2 would need to be replaced but may not be necessary and would require further investigation. However, it could utilise bracing or cross walls to relieve support from the existing frames and this approach would not render the works going beyond a strict conversion. As with the 'Dairy Shed', although the roof would likely need to be replaced, the roof trusses and rafters would be suitable to support a light weight roof. The trusses and rafters show no signs of corrosion and are likely to require repair rather that replacement. It is considered that the building, subject to the works detailed above, would be capable of conversion without significant rebuilding.
41. On that basis and given that no enlargements are proposed the buildings in question, it is considered that the proposed works to facilitate the two new dwellings would not be considered inappropriate development in the Green Belt.

42. The proposal would include the erection of a detached garage building to provide covered parking associated with the dwellings. It would be built in the same location as 'Sheds 3 and 4' which are to be demolished. Paragraph 145 of the NPPF 2019 confirms a number of exceptions to the new buildings being considered inappropriate development in the Green Belt which, as stated under criterion d) includes *'the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces'*. Local Plan Policy DP13 concurs with this requirement. As the site consists of agricultural land, it cannot be considered 'previously developed land' as defined by Annex 2 of the NPPF 2019 as the proposed garages would not be in the same use as the buildings to be replaced (agricultural storage).
43. As a result, it is considered that the garaging element would constitute inappropriate development in the Green Belt as defined by the NPPF 2019 and Local Plan Policy DP13 and 'very special circumstances' would need to be demonstrated in this case to justify the development. These will be discussed later in this report.

#### Impact upon heritage assets

44. Paragraph 190 of the NPPF 2019 states *'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'* Paragraph 192 states *'In determining applications, local planning authorities should take account of:*
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
  - c) the desirability of new development making a positive contribution to local character and distinctiveness.'*
45. Policy DP20 of the Local Plan requires that new development protects, preserves and wherever possible enhance the history interest, cultural value, architectural character, visual appearance and setting of heritage assets and historic environment. Development should be sympathetic to the heritage asset and/or its setting in terms of quality of design and layout (scale, form, bulk, height, character and features and materials).
46. The application submission includes an assessment of the impact upon these assets, with particular regard to Mansion House Farmhouse, Church of St George and tombs within the graveyard, Church Farmhouse and Church Farm Cottage. It states that the existing farmyard buildings to the east of Mansion House Farmhouse are of modern construction with little historic significance. The applicant considers that there is no direct visual link to Mansion House Farmhouse as the built form is shielded by a timber boundary fence and converted barn structure between the Mansion House Farmhouse and the site. They consider that the buildings have no historic relation in terms of size and aesthetic style to the Listed Buildings and appear larger than the period farmhouse. The applicant further considers that the buildings are currently



dilapidated and, as a result of the proposed works, the large sheds labelled 'Shed 1', 'Shed 3' and 'Shed 4' will be removed to improve the permeability within the site. They consider that the proposal would not worsen the situation and would result in less than substantial harm to designated heritage assets which they feel should weigh in favour of the development in the planning balance.

47. The County Council's Historic Buildings Adviser confirms that they agree with the conclusions of the heritage statement with regards to the current situation regarding the visual setting of the various Listed Buildings is not worsened (during the daytime) by the proposed development. However, they do consider that the introduction of domestic traffic and noise to the rear of the Mansion House Farm and the enlargement of the domestic settlement will have a modest effect on all of the Listed Buildings which currently comprise of a very modest hamlet. They consider that Crowhurst is unlike the villages that have grown up around virtually every other parish church in Tandridge District. The County Council's Historic Buildings Adviser considers that there will be slight harm to the setting of the nearby Listed Buildings which will need to be offset by other material planning benefits within the planning balance.
48. Having noted the County Council's Historic Buildings Adviser comments, the Council do agree that there would be an impact upon the setting. The proposal would, however, remove three of the five existing buildings and would use the two remaining buildings for domestic purposes. The removal of these buildings would improve the permeability within the site and the conversion of the remaining buildings would not result in substantial harm in the Council's view. The introduction of domestic traffic and noise to the rear of the Mansion House Farmhouse would have an impact given the low-key use that currently operates within the site. However, there is potential for the use of the site and existing buildings to increase for its permitted use which the Council would have no control over. The use for residential purposes would have an impact however, as the development would result in two family sized dwellings, it is not considered that there would be significant noise increase to warrant a refusal on these grounds.
49. The change of use of the land would result in comings and goings to and from the site however it would result in a reduction in slow moving farm traffic to and from the site. Given the Council's lack of a 5-year housing land supply, there is a need to provide more homes within the District where no substantial harm would result. It is considered that, when having regard to the impact upon these heritage assets, the reduction in built form within the existing site, the removal of slow moving farm traffic and the overall impact that the proposed development would have upon the setting of the heritage assets, the proposal would result in less than substantial harm when weighed up within the planning balance. As such, the Council consider that the proposal would conform to the provisions of Local Plan Policy DP20 and Paragraphs 190-192 of the NPPF 2019.

#### Impact upon the character and appearance of the area

50. Paragraph 124 of the NPPF 2019 states that sustainable development is a key aspect of the development process, seeking to create high quality buildings and places and creating better places in which to live and work and helps make development acceptable to communities. Even though Core Strategy Policy CSP18 predates the national policy, it is based on the same principles of sustainable development requiring that new development, within town centres,

built up areas, the villages and the countryside be of a high standard of design that reflects and respects 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. This is further expanded by Detailed Policy DP7 which expects development to be of a high-quality design, integrating effectively with its surroundings, reinforcing local distinctiveness and landscape character and does not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing density and design. Core Strategy Policy CSP20 seeks to conserve and enhance the special landscape character, heritage, distinctiveness and sense of place of the locality within an Area of Great Landscape Value (AGLV) or an Area of Outstanding Natural Beauty (AONB).

51. The site is approximately 1.1km from the boundary with the AGLV to the north east of the site (as the crow flies). This separation distance would prevent any significant impact upon the landscape character, heritage, distinctiveness and sense of place of the AGLV. The previous application (reference 2018/246) was refused based on the impact upon the rural character of the area and the over-intensive use of the site however this application seeks to re-use the buildings in question and would provide two dwellings rather than four. This scheme is therefore not comparable with the previously refused planning application in the Council's view.
52. The proposal seeks to remove three of the 'sheds' within the site and retain two buildings as part of this scheme. The buildings to be retained would have limited visibility within the wider area and the demolition works would increase the permeability within the site. There would be a significant reduction in the massing of built form within the site (reducing massing from 8015m<sup>3</sup> to approximately 4155m<sup>3</sup>) and this would result in an improvement from a landscape perspective. The application submission includes a Landscape and Visual Impact Assessment which demonstrates how the site is viewed in the wider context. It concludes that the proposal would have minor beneficial results to the landscape within the application site and would have minor negligible results from a wider landscape perspective. Having assessed the submitted documentation, the Council are of the view that improved permeability and reduction in volume and massing on site would have a positive impact upon the landscape character and a positive contribution upon the localised views. Any impact upon the landscape during the construction process are expected to be minor given the scale of works and would be for a temporary period resulting in no long-term effects. The Council would therefore concur with the findings of the Landscape and Visual Impact Assessment.
53. The resulting buildings would maintain the built form/structure of the existing built form of the 'Dairy Barn' and 'Shed 2'. They would not increase in footprint, height or massing however it is proposed to include timber vertical cladding and large glazed elements to serve the resulting dwellings. The applicant considers the cladding to be of local agricultural style and the Council concur with this view. Although the buildings would include significant glazed areas, these would not be uncommon for contemporary barn conversions. As a result, it is not considered that the resulting buildings with the timber styling and features typical of a contemporary barn conversion would be unduly incongruous or out of keeping with, nor detrimental to, the prevailing area. Based on the above assessment, it is not considered that the resulting buildings would be significantly harmful to the character and appearance of the area and would not

be contrary to Policy CSP18 of the Core Strategy and Policies DP7 and DP20 of the Local Plan.

#### Impact upon neighbouring amenity

54. Policy CSP18 of the Core Strategy seeks to ensure that development does not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any other adverse effect. Policy DP7 of the Local Plan reflects the objectives of the Core Strategy but also includes privacy distances of 22 metres between habitable room windows of properties in direct alignment and, in most circumstances, 14 metres between principal windows of existing dwellings and the walls of new buildings without windows.
55. The resulting building on the northernmost plot (labelled 'Dairy Barn' on the existing drawings) would be approximately 18 metres from the northern boundary of the site and approximately 29 metres from the east facing wall of the building to the west (namely Mansion House Farmhouse). The separation distances combined with the scale and massing of the building will prevent the development from having any significant overbearing or overshadowing impact. There are windows in all elevations of the building however they will all be at single storey level and therefore any potential overlooking could be prevented through boundary treatments as part of a landscaping plan which could be secured by planning condition. There are roof windows in the south facing roof slope of the resulting building however the upper floor proposes a mezzanine studio area, centrally located within the building. The windows would provide a source of natural light rather than outlook and it is considered that this would not therefore have any significant impact upon the amenities of the adjoining properties with regards to overlooking or loss of privacy.
56. The proposed building on the southernmost plot (labelled 'Shed 2' on the existing drawings) would be over 35 metres from the east facing wall of Mansion House Farmhouse and over 5 metres from the southern boundary with the adjoining farmland. The separation distances combined with the scale and massing would prevent the development from having any significant overbearing or overshadowing impact. Again, the windows in all elevations of the building will all be at single storey level and therefore any potential overlooking could be prevented through boundary treatments. There are roof windows in the north facing roof slope of the resulting building which would face the proposed dwelling labelled 'Dairy Barn'. However, the section drawings show that the finished floor level of the first floor mezzanine would be over 2.3m below the sill height and therefore these windows would, again, provide a source of natural light rather than outlook. As a result, it is considered that this would have any significant impact upon the amenities of the adjoining properties with regards to overlooking or loss of privacy.
57. Turning attention to the 'Dairy Barn' and 'Shed 2' and their respective relationship to each other, there would be a separation distance of approximately 12.6 metres between these buildings. These separation distances will prevent either property from appearing overbearing or overpowering upon each other. It is noted that this separation distance would fall short of the separation required by Local Plan Policy DP7 however the windows which are in alignment are at single store level. In addition, the application has recently been amended to obscure glaze the fenestration serving utility room in the north elevation of 'Shed 2'. As the windows of both properties will be at single storey level and any potential overlooking could be

prevented through boundary treatments between the two resulting dwellings, it is considered that would have any significant impact upon the amenities of the resulting properties with regards to mutual overlooking or loss of privacy.

58. With regards to comments made by the Parish Council the glazed elements of the building, given the separation distance, are unlikely to cause significant glare or significant light or noise disturbance to the existing surrounding occupiers.
59. As a result of the above assessment, it is considered that the separation distances combined with the overall size, scale and design of the resulting buildings would not result in significant amenity impact upon any of the adjacent properties and would conform to the provisions of Core Strategy Policy CSP18 and Local Plan Policy DP7 in this regard.

#### Living conditions of future occupiers

60. The 3-bed, 6 person unit (Dairy Barn) would have a gross internal floor space (GIA) of approximately 215sqm and the 6-bed, 10 person unit (Shed 2) would have a gross internal floor space (GIA) of approximately 464sqm. The space associated with these resulting dwellings would exceed 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 the all ground floor rooms associated with the resulting dwellings. The upper floor spaces would be served by natural light from the roof windows however the window cill heights proposed would restrict outlook. It is considered that both units would have large living spaces and good-sized rooms with a high quality of internal space within both units.
61. The habitable spaces would be of a high quality and, as the roof windows serve a mezzanine studio space for the 'Dairy Shed' and as a mezzanine studio space and bedroom for 'Shed 2' rather than primary living spaces, it is considered that fenestration arrangements for these spaces would be acceptable, on balance. Both dwellings would have individual private garden spaces which are of adequate standard with regards to available space and, as such, it is considered that the proposal would provide satisfactory living conditions for future occupants and would conform to the provisions of Local Plan Policy DP7 in this regard.

#### Parking, access, cycle and refuse storage

62. The parking arrangements on the site would provide space for 4 vehicles within the proposed garage building and would also allow informal parking space within the site. These spaces would conform to the Council's Parking Standards SPD and the parking provision being proposed is considered sufficient to serve the proposed development. The access is suitable for private motor vehicles however concern has been raised by the County Highway Authority over access for fire and refuse vehicles. The applicant has confirmed that there is adequate space within the site to enable the turning of refuse and fire trucks to enter and exit the site safely in a forward gear. The County Highway Officer has indicated this could be dealt with by the imposition of a condition.
63. Both of the resulting dwellings would provide suitable space for the storage of cycles which would encourage sustainable modes of transport. There is sufficient space for refuse storage for both dwellings which could be integrated

into a detailed hard and soft landscaping scheme. Such details could be secured as part of a planning condition.

64. Subject to relevant conditions being secured relating to access arrangements, suitable parking provision and EVCPs being provided, there are no objections raised with regards to Policies CSP12 and CSP18 of the Core Strategy and Policies DP5 and DP7 of the Local Plan with regarding to highways safety, parking, cycle or refuse storage.

### Trees

65. The proposed scheme does not require the removal of any trees and the site is capable of being able to include high quality specimens within the site as part of a detailed landscaping scheme. Such submission could be secured by condition to ensure that the development conforms to the provisions of Core Strategy Policy CSP18 and Local Plan Policy DP7.

### Renewable Energy

66. Policy CSP14 requires the reduction of carbon dioxide (CO<sub>2</sub>) emissions by means of on-site renewable energy technology. The Energy Statement submitted with this application confirms that the new buildings will be served by Air Source Heat Pumps (ASHP) and such provision would, according to the date provided, be sufficient to exceed the 10% target set out in Policy CSP14. As such, the submission of further information relating to renewable energy technology implementation and placement of the ASHP could be secured by planning condition.

### Flooding

67. The site is within an area at 'low' risk of surface water flooding and is located within Flood Zone 1. The application is accompanied by a Drainage Statement which confirms that the site is capable of accommodating a variety of sustainable drainage systems (SuDS). As the site is within a 1 in 1000-year surface water flood area, it is not considered that the area is at significant risk of flooding however SuDS would be encouraged as part of a hard and soft landscaping scheme. Such matters would be secured by condition to ensure that the development conforms to the provisions of Core Strategy Policy CSP15 and Local Plan Policies DP21 and DP22.

### Ecology and Biodiversity

68. Policy CSP17 of the Core Strategy requires development proposals to protect biodiversity and provide for the maintenance, enhancement, restoration and, if possible, expansion of biodiversity, by aiming to restore or create suitable semi-natural habitats and ecological networks to sustain wildlife in accordance with the aims of the Surrey Biodiversity Action Plan.
69. Policy DP19 of the Local Plan Part 2: Detailed Policies advises that planning permission for development directly or indirectly affecting protected or Priority species will only be permitted where it can be demonstrated that the species involved will not be harmed or appropriate mitigation measures can be put in place.
70. An ecology report, dated October 2020 including additional information dated on 1 March 2021 have been submitted in support of the application which

confirm that, in relation to bats and breeding birds, the buildings to be removed from the site are currently not used as roosting for bats. The proposal would include soft landscaping areas which would enhance biodiversity opportunities, and this would be secured through a soft landscaping condition. In addition, the provision of bird and bat boxes within the retained buildings and the use of native species and the planting of additional trees and shrubs would promote and attract wildlife onto the site. Again, such mitigation measures could be secured by condition to ensure that the proposed development would accord with Core Policy CSP17 of the Tandridge District Core Strategy (2008) and Policy DP19 of the Tandridge District Local Plan Part 2: Detailed Policies (2014).

### Very Special Circumstances

71. As set out above, it is considered that the garage element of the proposal would constitute inappropriate development in the Green Belt. Paragraph 143 of the National Planning Policy Framework states that *'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*. It goes on to state in paragraph 144 that *'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'*
72. The proposal seeks to reduce the overall massing of built form on the site from 8015m<sup>3</sup> to 4155m<sup>3</sup>, which would reduce the overall built form by almost 50%. Such a reduction in built form would have a positive impact upon Green Belt openness and would improve the permeability within the site. The garage would be built in the same location as Sheds 3 and 4 which are of significant scale and massing. The proposed garage building would have a low-key appearance in comparison.
73. In addition, to this Local Plan Policy DP14 allows for 'New Garages & Other Ancillary Domestic Buildings in the Green Belt' provided they do not constitute a dominant feature and are not excessive in size having regard to the size of the dwelling (or dwellings in this case) they are to serve, they do not detract from the rural character or appearance of the locality, they are not to replace any existing garage that has been converted to residential use and will not be used for any purpose which is not incidental to the enjoyment of the dwelling. This proposed garage building would meet all of the required criteria and, as a result, it is considered that there would be sufficient 'very special circumstances' in this case to outweigh any harm to the Green Belt, or any other harm, identified. As a result, the proposal would be acceptable from a Green Belt perspective and would conform to Local Plan Policies DP10, DP13 and DP14 and the NPPF 2019.
74. As the resulting plot sizes from this development would result in plots which are not of substantial size, the Council consider that it would be necessary to remove permitted development rights for further enlargement of the resulting dwellings and additional outbuildings to ensure that the resulting garden spaces are retained for the enjoyment of future occupiers. It would also ensure that the Council maintain control over any further development within this site which could detrimentally impact upon the openness of the Green Belt and the character and appearance of the area.

## CIL

75. This development is CIL liable.
76. In addition to CIL the development proposed will attract New Homes Bonus payments and as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) these are local financial considerations which must be taken into account, as far as they are material to the application, in reaching a decision. It has been concluded that the proposal accords with the Development Plan and whilst the implementation and completion of the development will result in a local financial benefit this is not a matter that needs to be given significant weight in the determination of this application.

## **Conclusion**

77. It is considered that the resulting dwellings would not be considered inappropriate development in the Green Belt however the garaging would be considered inappropriate development. Nevertheless, there are sufficient 'very special circumstances' in this case to outweigh any harm identified. The proposal would respect the character and appearance of the prevailing area, its setting as well as the setting of the Grade II\* Listed Building to the west. It would also respect the local context and there would be no significant harm to neighbouring amenities. Furthermore, there would be no significant impact upon the wider highway network and the renewable energy provision would be acceptable. It is therefore recommended that the application is granted planning permission subject to the conditions and informatives set out below.
78. 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 within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with paragraph 213 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.
79. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

## **RECOMMENDATION: PERMIT subject to the following conditions**

1. The development hereby permitted shall be begun 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. This decision refers to the drawings numbered 1926\_GA101\_C, 1926\_GA102\_C, 1926\_GA103\_B, 1926\_GA104\_A, 1926\_GA105\_B, 1926\_GA106\_A, 1926\_GA107\_A, 1926\_GA108\_A, 1926\_GA109\_A, 1926\_GA110\_A, 1926\_GA111\_A, 1926\_GA112\_A, 1926\_GA113\_A, 1926\_GA114\_A, 1926\_GA115\_A, 1926\_GA116\_A, 1926\_GA117\_A, 1926\_GA119\_A, 1926\_GA120\_A, 1926\_GA121\_A, and 1926\_GA122\_A scanned on 13 November 2020 and drawing numbered 1926\_GA118\_A

scanned in on 02 February 2021. 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. **Prior to any works taking place above ground level**, particulars and/or samples of materials to be used on the external faces of the development hereby permitted shall be submitted to and approved in writing by the District Planning Authority and the development shall be carried out in accordance with the approved details.

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

4. **Prior to any works taking place above ground level**, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:

- proposed finished levels or contours
- means of enclosure
- car parking layouts
- other vehicle and pedestrian access and circulation areas
- boundary treatments
- hard surfacing materials
- details of any SuDS measures
- location and appearance of refuse stores
- location and appearance of cycle stores
- External lighting columns
- minor artefacts and structures (eg. furniture, play equipment, other storage units, signs, other lighting etc.).

Details of soft landscape works shall include all proposed and retained trees, hedges and shrubs; ground preparation, planting specifications and ongoing maintenance, together with details of areas to be grass seeded or turfed. Planting schedules shall include details of species, plant sizes and proposed numbers/densities. All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion or occupation of any part of the development (whichever is the sooner) or otherwise in accordance with a programme to be agreed.

Any trees or plants (including those retained as part of the development) which within a period of 5 years from the completion of the development die, are removed, or, in the opinion of the Local Planning Authority, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The hard landscape works shall be carried out prior to the occupation of the development.



**Reason:** To maintain and enhance the visual amenities of the development in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 and DP9 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

5. **No development shall commence above ground level** until further details of the Air Source Heat Pump, demonstrating the location and how the development would satisfy the 10% reduction of carbon emissions through renewable resources, have been submitted to and approved in writing by the Local Planning Authority. The renewable energy provision shall thereafter be implemented and retained in accordance with the approved details.

**Reason:** To ensure on-site renewable energy provision to enable the development to actively contribute to the reduction of carbon dioxide emissions in accordance with Policy CSP14 of the Tandridge District Core Strategy 2008.

6. The development shall be carried out wholly in accordance with the 'Recommendations' set out within the 'Preliminary Ecology Appraisal' dated October 2020 including the additional information received on 1 March 2021.

**Reason:** To ensure that protected species are adequately protected and biodiversity impact is suitably mitigated against in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

7. Before the development is occupied the existing vehicular access to Crowhurst Lane shall be provided with visibility zones of 2.4m by the maximum achievable to the north of the site access and 2.4 by the maximum achievable to the south of the site access in accordance with a scheme to be submitted and approved in writing, all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority and the visibility zones shall be kept permanently clear of any obstruction above 0.6m in height above ground level.

**Reason:** To ensure that the development provides adequate vehicular and pedestrian access in the interest of highway safety nor cause inconvenience to other highway users to accord with the objectives of the NPPF (2019), and to satisfy Policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

8. No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose.

**Reason:** To ensure that the development provides adequate vehicular and pedestrian access in the interest of highway safety nor cause inconvenience to other highway users to accord with the objectives of the NPPF (2019), and to satisfy Policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

9. As the distance of the development is more than 25m from the highway, the development shall not be occupied until a scheme has been submitted and approved in writing for refuse vehicles to be able to turn in order to exit the site in forward gear. Such space must be laid out within the site in accordance with the approved details and retained exclusively for its designated purpose.

**Reason:** To ensure that the development provides adequate vehicular and pedestrian access in the interest of highway safety nor cause inconvenience to other highway users to accord with the objectives of the NPPF (2019), and to satisfy Policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

10. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

**Reason:** To ensure that the development provides adequate vehicular and pedestrian access in the interest of highway safety nor cause inconvenience to other highway users to accord with the objectives of the NPPF (2019), and to satisfy Policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no form of enlargement of the resulting dwellings hereby permitted shall be carried out without the express permission of the Local Planning Authority.

**Reason:** To control further development of the site in the interests of Green Belt openness, the character of the area and amenities of nearby properties in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policies DP7, DP10 and DP13 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no garages, sheds, greenhouses or other ancillary domestic outbuildings shall be erected without the express permission of the Local Planning Authority.

**Reason:** To control further development of the site in the interests of Green Belt openness, the character of the area and amenities of nearby properties in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policies DP7, DP10 and DP13 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 permitted is subject to a Community Infrastructure Levy (CIL) liability for which a Liability Notice will be issued. It is important that you ensure that the requirements of the CIL Regulations are met to ensure that you avoid any unnecessary surcharges and that any relevant relief or exemption is applied.
3. 1) It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
4. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

The development has been assessed against Tandridge District Core Strategy 2008 Policies CSP1, CSP2, CSP3, CSP4, CSP7, CSP11, CSP12, CSP14, CSP15, CSP17, CSP18 and CSP19, Tandridge Local Plan: Part 2: Detailed Policies 2014 – Policies DP1, DP5, DP7, DP9, DP10, DP13, DP19, DP21 and DP22 and material considerations, including third party representations. 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.