

ITEM: 5.1

Application: 2021/1251

Location: Allingham Farm, Copthorne Bank, Copthorne, Crawley, Surrey, RH10 3JD

Proposal: Partial demolition of outbuildings and conversion of the remaining outbuildings into four single storey dwellinghouses with associated alterations, garden areas and parking.

Ward: Burstow, Horne & Outwood

Decision: Planning Committee

Constraints - GB, LB, B of C, ASAC, C Road, Art 4

RECOMMENDATION:

REFUSE

This application has been referred to Committee by Cllr Lockwood.

Summary

1. The proposal is for the demolition of a number of outbuildings on the site and the conversion of those remaining into four single storey dwellinghouses with associated garden areas and parking. The application follows on from two previously refused applications for the conversion of the existing outbuildings to nine residential units in July 2018 and for the partial demolition of some of the outbuildings and the conversion of the remainder into four dwellinghouses in July 2020.
2. The site is located within the Green Belt; though, the proposal would not constitute inappropriate development in the Green Belt. However, the proposal has failed to demonstrate that the site is unsuitably located, or the commercial use is no longer viable. Whilst the proposal is acceptable in other regards complying with other Development Plan policies and would contribute to local housing supply, albeit of a small scale, this does not outweigh the other harm identified. As such it is recommended that planning permission be refused.

Site Description

3. The buildings forming the subject of the application are a series of conjoined single storey outbuildings (with a roughly 'H' shaped floorplate) plus three closely located freestanding outbuildings which are also single storey. These would originally have formed part of the farmstead of Allingham Farm the (former) farmhouse of which is next to the outbuildings, only separated from them by the vehicular access/driveway which services both this residential building and the outbuildings. The conjoined buildings are older than the other three and have pitched roofs, a mix of tile and slate. The walls are mainly tarred weatherboarding but include rendered and brick elements. The three free-standing buildings are probably mid- 20th century and are of close-boarded timber construction.
4. The farmhouse, a listed Grade II C17 building with later additions, has been edged in blue on the submitted site location plan. The easternmost part of the outbuildings is approximately 2m from the verge to Copthorne Bank. Those parts of the site not covered by buildings have a flooring of bound gravel with the exception of the west end of the site which has a small grassed paddock taking up about a fifth of the site.

5. The listing for Allingham Farm reads:

'House. C17 with early C20 cross wing to right. Timber framed to front left, whitewashed brick cladding below, plain tiled above. Plain tiled roofs with offset end stack to left further stacks to right. 1 storey and attic to left under two gabled casement corner windows, 2 storeys in wing to right with one casement window on each floor. Ribbed C20 door to right of centre under gabled porch hood on braced wooden supports. Pent roofed conservatory to left end. Pent roofed C20 garage attached to right.'

Relevant History

6. A prior approval application was refused in August 2015 for a change of use of one of the freestanding outbuildings from Class B1(a) to Class C3 under application reference 2015/1266/NC. The Council determined that the proposal did not benefit from the allowances under Class O of the General Permitted Development Order because the building lay within the curtilage of a listed building to which the allowances under this Class of the Order did not apply in this case.
7. Planning permission was refused in July 2018 for the conversion of existing outbuilding to 9 residential units under application reference 2018/373.
8. Most recently, planning permission was refused in July 2020 for the demolition of some of the outbuildings and the conversion of the remainder of the outbuilding into four single storey dwellinghouses with associated garden areas and parking at Planning Committee under application reference 2020/508 for the following reasons:
 1. *The applicant has failed to demonstrate that the existing use of the site is unsuitably located or that the current site is no longer viable in its current form or in an alternative commercial use. As such, the proposal is contrary to Policy DP4 of the Tandridge District Local Plan: Part 2 – Detailed Policies (2014).*
 2. *The proposal, by reason of the small floor area of the plots and height of the buildings, would result in a cramped living environment and unacceptable form of residential accommodation. In addition, the proposal fails to provide appropriate external amenity space serving plot 2 and would result in a poor outlook. The proposal would fail to provide a satisfactory living environment for future occupiers of the proposed development contrary to Policy DP7 of the Tandridge District Local Plan Part 2: Detailed Policies (2014).*
 3. *The applicant has failed to demonstrate that the proposed development would not have an adverse impact on wildlife, habitats or protected species contrary to Policy CSP17 of the Tandridge District Core Strategy (2008), Policy DP19 of the Tandridge District Local Plan Part 2: Detailed Policies (2014) and the provisions of the NPPF 2019.*

Key Issues

9. The site lies within the Green Belt, and forms part of the curtilage to a listed building. The key issues are whether the proposal would be inappropriate development in the Green Belt and, if so, whether there are any 'very special

circumstances' sufficient to overcome the presumption against such development, and whether the setting of the listed building (a designated heritage asset) will be adequately preserved. Other key issues are housing supply, the impact on character and appearance, loss of commercial use, sustainability, residential amenity ecology, trees and landscaping, highway safety, parking provision and renewable energy provision.

Proposal

10. Planning permission is sought for the partial demolition of the outbuildings and the conversion of the remaining outbuildings into four single storey dwellinghouses with associated alterations, garden areas and parking. One of the dwellings would be detached, plot 1, and the other three dwellings, plots 2 – 4, would be attached.

11. The gross internal floor areas of the residential units, with the 'plot' number assigned to each of the units within the submission, is as follows:

Plot 1 58m²
Plot 2 47.2m²
Plot 3 40.7m²
Plot 4 50.4m²

12. Each of the units would have one bedroom, although plots 1 and 4 have separate utility rooms which could be used as second smaller bedrooms. Each plot would have its own garden area. The proposal shows 7 car parking spaces to serve the development and an increased area of hard standing to the west to provide an enlarged drive and turning area.

13. In relation to the differences between application 2020/508 and this revised proposal, the communal landscaped area element of the proposal to the north of the site has been omitted and instead each of the four proposed dwellinghouses would be served by larger private garden areas. In relation to parking layout, this would be more contained, with three spaces proposed to the west of the site, compared with the previous application which resulted in a larger area of hard surfacing for additional three spaces to the west of the site and a wider turning area. In addition, the internal layout of the four dwellinghouses has been amended, and within the submission it states that internal head height within the converted buildings would be improved as they would now feature vaulted roofs.

Development Plan Policy

14. Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP12, CSP14, CSP15, CSP18, CSP21, CSP22

15. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP4, DP5, DP7, DP10, DP13, DP19, DP20

16. Woldingham Neighbourhood Plan 2016 – Not applicable

17. Limpsfield Neighbourhood Plan 2019 – Not applicable

18. Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 – Not applicable

19. Emerging Tandridge Local Plan 2033 - Policies TLP01, TLP02, TLP03, TLP08, TLP10, TLP11, TLP18, TLP19, TLP32, TLP35, TLP37, TLP43, TLP44, TLP45

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

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

National Advice

23. National Planning Policy Framework (NPPF) (2021)
24. Planning Practice Guidance (PPG)
25. National Design Guide (2019)

Statutory Consultation Responses

26. County Highway Authority – The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who has assessed the application on safety, capacity and policy grounds and recommends the proposal be refused on the grounds that:
27. The NPPF 2021, states that local planning authorities should support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport, and that developments should be located where practical to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities. The NPPF does, however, recognise that opportunities to maximise sustainable transport solutions will vary from urban to rural areas. Policy CSP1 of the Tandridge District Core Strategy (2008) states that in order to promote sustainable patterns of travel, and in order to make the best use of previously developed land, development will take place within the existing built up areas of the District and be located where there is a choice of mode of transport available and where the distance to travel to services is minimised.
28. The County Highway Authority (CHA) considers that the application site is not an ideal location in sustainable transport terms for new residential use, as it is not easily accessible by modes of transport other than the private car. It is not located within a reasonable walking distance from key services and facilities such as jobs, shops, schools, health and leisure facilities. The closest bus stop is approximately 200m away, but offers only hourly service; there is no rail station within the vicinity (the closest is Gatwick Station, approximately 4 miles away). There are no footways or streetlights along this section of the road, and very few places for pedestrians to seek refuge from traffic. Residents of the proposed residential use would therefore be heavily dependent on the private car for access to normal day to day services and facilities, hence the development would be contrary to the sustainable transport objectives of the NPPF and policy CS1 of the Core Strategy.
29. Notwithstanding this advice, however, the CHA acknowledges that there are three dimensions to sustainable development - economic, social and

environmental - hence the sustainability of the site should not be assessed purely in terms of transport mode and distance. It also acknowledges that planning policy does permit the conversion and re-use of buildings in the Green Belt and hence some developments will not be able to meet the requirements of locational and transport policies. Therefore, it is for the Local Planning Authority to weigh up the CHA's sustainable transport advice against the other policies in the NPPF and the Core Strategy, particularly those relating to rural areas, in order to determine whether or not the proposed development would be sustainable in its wider sense.

30. Therefore, the CHA recommends that the above application is refused based upon the following grounds:
31. The site is located in an area that suffers from a lack of quality pedestrian and/or cycle links and a shortfall in public transport provision and is unsustainable in transportation terms. Residents would be heavily dependent on the private car for access to normal day to day services and facilities, and the proposed development would be contrary to the sustainable transport objectives of the NPPF, policy CS1 of the Tandridge District Core Strategy and objectives within the Surrey Local Transport Plan (LTP3).
32. Note to LPA –The applicant has proposed a reduction in the number of dwellings on the site when compared to the previous application (TA/18/373), so that 4 units are now proposed rather than 9. The applicant demonstrated on the previous application that there would be a reduction in the number of trips associated with the development which would make the site more sustainable in transport terms than existing. However, this does not address the main issue of the lack of infrastructure available for alternative transport modes and that any future residents would still be highly dependent upon the private vehicle for daily activities. The CHA notes that sustainability is considered on three dimensions: economic, social and environmental and that it is for the LPA to weigh up this advice against other policies in the NPPF and Core Strategy, particularly those relating to rural areas. As such, the CHA considers that this reason for recommending refusal is still valid.
33. However, if the CHA is minded to grant permission on the above application the CHA would request the following conditions are included within any planning permission granted...” (recommended conditions and informatives within full consultation response scanned 20/09/2021).
34. Burstow Parish Council – No comments received

Non-statutory Advice Received

35. Surrey County Council Historic Buildings Advisor – “The header shows that the historic environment considerations are the character of the listed building as one of special architectural or historic interest. Special regard has to be had to preserving the building or its setting in the determination of the application in accordance with sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
36. Barn North of Allingham Farm is on Tandridge District Council's Buildings of Character List (2013) and as such is considered a non-designated heritage asset. Under paragraph 203 of the National Planning Policy Framework (NPPF) In weighing applications that directly or indirectly affect non-designated

heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

37. **Please note:** The document portal says a Heritage Statement has been provided, but the bat survey appears to have been uploaded twice instead. I suspect this is an error which will need correcting. To save time, I have assumed the heritage statement submitted is the one from 2020/508, but if a different one has been submitted please let me know. Alternatively, if a heritage statement has not been submitted you may wish to decide the application is contrary to policy 194 of the NPPF and there are grounds for refusal.
38. The heritage statement makes clear that this is a good set of relatively small farmstead buildings just to the north the main farmhouse. They are quite rightly recorded on the Tandridge Buildings of Character list (locally listed). They also make a positive contribution to the historic farmstead setting of Allingham Farm.
39. My predecessor noted the following regarding the buildings:

I fully agree with the suggestion in the heritage statement that the buildings to the north are of no merit and removing them would be beneficial to the overall setting of the listed building. With regard to the remaining buildings the conversion into dwellings is incrementally less desirable the greater the number of dwellings created. I note that on the current plans two of the dwellings could each accommodate a second bedroom which might affect the parking requirement. To be specific, my own view is that three dwellings could probably be accommodated with two in the main block and potentially third in the detached buildings. I am concerned that four would create more disturbance than is desirable to the principal listed building (the farmhouse).

With regard to the most recently refused application TA/2018/373 I commented on 30 April 2018

“The proposed scheme seems uncharacteristically dense with all sorts of problems of overlooking and provision of parking and private amenity space. I could not find any details of parking provision for the existing farmhouse which must not be forgotten in the development of this type because front garden parking would be wholly undesirable.”

I will leave it for others to determine whether these non-heritage issues have been adequately addressed. If they have been addressed I would say the heritage concerns are balanced against the conversion to 4 units but fully understand other considerations may weigh in favour of the proposal.

40. I agree with this assessment. In essence this proposal will cause a low degree of less than substantial harm to the setting of Allingham Farm through the creation of a more (but not entirely) residential appearance to the site as opposed to a former farmstead. This low level of harm is balanced by the conversion of these former farmstead buildings, but only just.
41. This assessment is subject to the below conditions being applied which are recommended to prevent incremental harm through the conversion of these dwellings and any permitted development rights they will gain. Should you have other additional concerns with this application please ensure you do not double count the benefits of preserving the Buildings of Character.

42. I advise the following conditions are applied... [recommended conditions within full consultation response scanned 12/082021].
43. I have assessed the proposal in accordance with policies 195 and 199 of the NPPF and find that providing my comments above are addressed there will be no material impact on the special interest of the listed building or the significance of the un-designated heritage assets.
44. Surrey Wildlife Trust (SWT) – First consultation response dated 16/08/2021. “The Local Authority has a duty to conserve biodiversity in line with the planning and legislative context, detailed in Appendix 1. We have reviewed the relevant application documents submitted on the planning portal, and other relevant publicly available information, and assessed these against published best practice guidance to determine whether submitted information was sufficient in order for the Local Authority to assess the planning application. Following this, we assessed the proposals against relevant legislation and planning policy and recommended appropriate course of action to ensure the Local Authority is fulfilling its duty to conserve biodiversity.
45. As part of the application the applicant has submitted an Ecological Impact Assessment (Lizard, 29/6/21).
46. Bats – The EIA notes that a bat survey conducted by KB Ecology on 8/6/20 recorded common pipistrelle bats emerging from B01. The Bat Conservation Trust Good Practice Guidelines state that when bat presence is established this should trigger roost characterisation surveys unless sufficient information has already been conducted. At present it appears that a single bat emergence survey has been conducted. Justification should be sought from the ecologist regarding the information underpinning their assessment of how the building is being used by bats.
47. Sensitive Lighting – The applicant should ensure that the proposed development will result in no net increase in external artificial lighting at primary bat foraging and commuting routes across the development site, in order to comply with above referenced legislation and the recommendations in BCT & ILP (2018) Guidance Note 08/18. Bats and artificial lighting in the UK. Bats and the Built Environment. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby”. We advise that compliance with this best practice guidance is secured through a Sensitive Lighting Management Plan submitted to the Local Planning Authority for approval in writing prior to commencement of development.
48. Breeding Birds – The developer should take action to ensure that development activities such as vegetation or site clearance are timed to avoid the bird nest season of early March to August inclusive. If this is not possible and only small areas of dense vegetation are affected, the site could be inspected for active nests by an ecologist within 24 hours of any clearance works. If any active nests are found they should be left undisturbed with a buffer zone around them, until it can be confirmed by an ecologist that the nest is no longer in use.
49. Enhancements – Paragraph 175 of the NPPF requires that “opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity”. This development offers opportunities to restore or enhance biodiversity and such measures will assist the Local Planning Authority in meeting the above obligation and also help offset any localised harm to

biodiversity caused by the development process. Should the Local Planning Authority be minded to grant permission for the proposed development, the development should proceed only in strict accordance with the impact avoidance and mitigation measures specified in the EIA.”

50. During the determination of the application the agent provided further clarification on 12/10/2021 from the applicant’s ecologist, as requested by SWT, regarding the information underpinning their assessment of how the building is being used by bats as follows:

51. *“The bat surveys and initial PEA were undertaken by KBA. Their bat survey from July 2020 should still be valid until May next year for planning purposes. I note that, on the LPA website, the report listed as “bat survey” is in fact just the KBA PEA rather than their bat survey. I attach the bat survey report as I think it would be beneficial to submit this.*

KBA originally assessed the building and found it to be of ‘low’ potential due to presence of suitable roost features but a lack of any evidence of bats such as droppings. KBA subsequently undertook a single emergence survey in accordance with BCT guidelines.

The survey found two common pipistrelle bats existing the building. Low numbers of bats such as this indicate a day roost which is how KBA have characterised the roost, and I would agree with their assessment. The survey was conducted in early July during the middle of the bat activity season; as such, evidence of a larger roost such as a maternity colony would have been very evident.

The activity on site was dominated by common pipistrelles in relatively low numbers, with rare passes by myotis bats. The activity supports the findings of the survey and does not leave suspicion that any bats were missed. As such undertaking further surveys were likely not deemed necessary for planning purposes and again I would agree. Further survey in 2022 will likely be required for a Natural England licence but this would not materially alter the planning application, and the mitigation proposed is appropriate.

My update visit in June 2021 found the building to be in largely the same condition as the photos from 2020 would suggest, and I did not find any further evidence of bats to suggest further bat surveys would produce a different result.”

52. SWT were re-consulted with this additional justification which included the submission of the Bat Survey Report.

53. Second consultation response dated 16/08/2021 – “The reasoning by the ecologist appears appropriate. The developer should be aware that, in line with the ecologist’s comments, further survey is likely to be required as part of the Protected Species Licence application”.

TDC advice

54. Strategy Team (Planning Policy) – Response fully detailed within paragraph 74.

Other Representations

55. Third Party Comments – None received

Assessment

Green Belt

56. Paragraph 147 of the NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances with paragraph 148 adding that such circumstances will not exist unless the potential harm to the Green Belt, and any other harm, is clearly outweighed by other considerations.
57. Paragraph 149 of the NPPF advises that the construction of new buildings in the Green Belt constitutes inappropriate development but goes on to list exceptions to this rule, none of which include buildings required for the uses set out in this application. Paragraph 150 of the NPPF lists other certain forms of development which 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*. Two forms of development listed under paragraph 150 of the NPPF are:
- (d) the re-use of buildings provided that the buildings are of permanent and substantial construction; and*
- (e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds)'*.
58. Local Plan Policy DP10 advises that within the Green Belt, planning permission for any inappropriate development which is, by definition, harmful to the Green Belt, will normally be refused and will only be permitted where 'very special circumstances' exist that clearly outweigh any potential harm to the Green Belt by reason of inappropriateness and any other harm.
59. Policy DP13 of the Local Plan lists exceptions to new buildings in the Green Belt being regarded as inappropriate development and one is the re-use of buildings for industrial, commercial, community or residential purposes where the proposal (1) preserves the openness of the Green Belt and does not conflict with the purposes of including land within it, (2) the buildings are of permanent and substantial construction and are capable of re-use without major works, (3) the proposed use can be wholly contained within the building identified for re-use and (4) the proposal would not be likely to result in the need to construct additional agricultural buildings unless it can be demonstrated the building is no longer suitable for that purpose.
60. In this case, an Engineer's Structural Report, dated 8th January 2020, has been submitted with the application. This concluded that *"Structurally the buildings can be converted with some local repair and without substantial alteration and addition"*. On the basis of this conclusion it is considered that the proposal would utilise the existing buildings and not be tantamount to rebuilding based on the information provided and repair works required. The existing structures to be retained are of sound structural condition and would be substantially able to facilitate conversion.
61. It is not considered that the proposal would result in the need to construct additional agricultural buildings. The existing buildings were not used for agricultural purposes. The submitted application form states that the buildings

are currently redundant and that their last use was as a for furniture manufacturing and sales, as workshops.

62. The proposal would involve the demolition of some of the existing, more modern additions on site. The submitted Planning Statement states that this would result in a 52% reduction in the overall built form. Based on the Council's calculations, using submitted drawing number 1351 P2002A, it is considered that the existing area of built form on the site totals approximately 386m² and that 226m² would be retained as part of the proposal resulting in a 40% reduction. Paragraph 4.8 of the Planning Statement states that removing buildings on the site "amounts to over 150 sqm equating to approximately 40-50% of the built form on the site". It is acknowledged that the proposal would result in a reduction of built form on the site and the proposed accommodation could be wholly contained within the existing buildings.
63. However, the proposal would result in the formation of four separate residential curtilages, along with the associated domestic paraphernalia, and a more intensive use than at present. Although, the extent of hard surfacing to serve the dwellinghouses, for parking provision and turning space, would be reduced in comparison with the previous application 2020/508 and would be more contained within the site.
64. It is acknowledged that the Green Belt grounds were not a refusal reason upheld by the Planning Committee during the determination of application 2020/508. This application has been assessed on its own merits; however, it is considered that this revised scheme has an enhanced site layout with the provision of four larger private garden areas to serve the dwellinghouses, improved parking arrangements and reduced areas of hard surfacing. As such, on balance, the proposal would preserve the openness of the Green Belt and as such would not constitute inappropriate development in accordance with the NPPF and Local Plan Policies DP10 and DP13.

Commercial Use and Employment

65. Policy CSP22 of the Core Strategy considers the development of a sustainable economy seeking to make the best use of existing commercial and industrial sites. Both local and national policies seek to encourage and retain sustainably located commercial sites. There is however no specific consideration in this policy of the loss of existing employment uses in the Green Belt other than consideration at criterion C of the loss of such uses in Larger Rural Settlements and Green Belt Settlements.....*Allowing redundant or unsuitably located commercial and industrial sites within the built up areas, Larger Rural Settlements and Green Belt Settlements to be redeveloped for housing or other appropriate alternative uses.* This approach accords with consideration of a site's location and its sustainability. The application premises do not lie within a settlement, rather they lie in a rural location outside any settlement and Policy CSP22 is not therefore applicable. Reference should be made to Policies in the Tandridge District Local Plan and the NPPF.
66. Policy DP4 of the Local Plan refers to the alternative use of existing commercial and industrial sites being permitted only where it can be demonstrated that the site is unsuitably located, for example because of inadequate access, potential neighbour amenity harm and that such issues cannot be mitigated, or, that the current business is no longer viable to be demonstrated via a 12-month marketing exercise (minimum 6 months for sites not falling within Category 1 and 2 settlements). This policy expands upon Core Strategy Policy CSP22

criterion C and details the circumstances under which alternative uses of commercial sites would be appropriate. As noted above CSP22 (c) does not apply however to rural sites that lie outside a settlement.

67. Paragraph 84 of the NPPF advises that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

68. The site operated as a furniture business (the application form describes the last use of the site as “formerly furniture manufacturing and sales”). The submitted Planning Statement states that the “buildings offer spaces that are commercially occupied”. The submission states that the site is unsustainably located and no longer viable for commercial use, as per their justification within paragraphs 4.5-4.7 of their Planning Statement. The submission states:

“The Council should be advised that the existing commercial uses can attract high volumes of traffic with the majority requiring some use of a HGV or a long wheel base vehicle (van)... The access and parking arrangement are simply not satisfactory for the business units... the supporting Commercial Market Appraisal further supports that the location is unsuitable for the commercial units and that they are unviable... it is clear that a residential use will attract less traffic”

69. Furthermore, the application also includes the submission of a ‘Commercial Market Appraisal’. It is noted that this was written by White and Sons, Dorking, and that the agent of the application is from White and Sons, Horley. The Appraisal document states that “the buildings have been in use for pine stripping and display of pine stripped furniture and kitchen units for many years”. Despite the negative comments within the Appraisal, it does state that it “may be possible to find occupiers for smaller areas”, although this would be management intensive and require significant alterations and investment.

70. During the determination of the application, the Council’s Strategy (Planning Policy) Team were consulted on the proposal who stated:

Local Plan: Part 2 – Detailed Policy DP4 seeks to strike a healthy balance between retaining existing stock of employment land to help maintain the District’s viability and vitality and allowing the release of land where it is proven to be the most suitable option. More recently the Tandridge Strategic Economic Assessment 2018 identifies a trend in loss of employment sites in the District and advises that the Council should resist the redevelopment of employment sites for alternative uses unless its release can be justified.

My opinion is that they haven’t done sufficient to demonstrate that it is either unsuitably located or that it is no longer viable.

It is noted that access to the site and manoeuvring by HGV may be difficult, if not impossible, however it also has to be recognised that this site has been in an commercial use for a number of years and access to this site has presumably been achieved to enable the business to continue. Furthermore, not all commercial uses are reliant upon HGVs. The site may be appropriate for a use which is not reliant on HGVs and which is not intrinsically noisy and which does not cause undue disturbance, either from the commercial use itself or the associated traffic. Even if such issues were to arise any submission would need to demonstrate why they could not be mitigated to an acceptable

level. As it currently stands, the submission fails to provide a compelling argument in this respect.

Furthermore, clearly they have undertaken no marketing of the site for either its current use or an alternative. I appreciate it may not be in the best of condition and that it may fall short of the standards required such that it couldn't be legally let, but they would need to demonstrate this. Furthermore, they would need to demonstrate how much it would cost to bring it up to a reasonable standard, potentially exploring what is required for its current use or an alternative use(s). It may be that doing so would be prohibitively expensive and would be unviable given how much they could let it for but we would need more evidence that demonstrates this.

If they do market the property for sale or let on the open market they would need to demonstrate the following:

- It was marketed over the relevant time period.*
- It has been actively marketed. They would need to demonstrate how they've promoted the site and that it has been promoted as a commercial use, including the various potential uses it could be used for.*
- It was marketed at a realistic price. This can be demonstrated by providing details of properties of a similar type, size and location.*
- That no reasonable offers have been refused. So we'd need details of offers made, by whom, what its proposed use would be and the price offered and why they turned it down.*

71. In relation to employment the application form sets out that there are no existing employees on the site. From the Commercial Market Appraisal dated 14/10/2020 it states that the "accommodation has been used by the son of the occupier of the adjacent house". It is noted that within the submitted application form it states that the buildings are redundant and as such that the commercial use of the site is no longer operating. Whilst the proposal would not result in employment loss, it would result in the loss of the commercial use of the site.

72. The proposal would result in the loss of an employment site which local plan evidence suggests is a reoccurring trend in the District. The Council would require that other alternatives are explored before the loss of employment land is considered.

73. The site has been used for commercial purposes for a number of years. Whilst the comments are noted in relation to the unsuitability of HGVs along Copthorne Bank, it should be acknowledged that not all commercial uses are reliant on HGVs. Inaccessibility of a site by HGVs does not render it unsuitable for any form of commercial use, as is evidenced by the long-standing furniture business that did operate from the site. There is a lack of detailed consideration in this regard within the submission and in relation to the exploration of alternative commercial uses. The submission states that the proposed residential use, of four dwellinghouses, would attract less traffic than the commercial use, but no evidence or other supporting information has been submitted in this regard. Furthermore, if the commercial use of the site would result in undue disturbance or noise, then the application would need to demonstrate why any potential issues could not be sufficiently mitigated to an acceptable level.

74. Furthermore, no marketing of the site has taken place. The application has not demonstrated the cost that would be required to bring the site up to a

reasonable standard and detail of what would be required for the existing use or an alternative use to allow for an assessment of the viability of the site to be carried out.

75. The application has not demonstrated that the site is unsuitably located for commercial purposes, that it would result in neighbour amenity harm and it has not adequately demonstrated that the commercial use is no longer viable, even for an alternative commercial use, or as part of a redevelopment or mixed-used development scheme through a minimum 6 month active marketing exercise where the site (whether vacant or occupied during that time) has been offered for sale or letting on the open market at a realistic price and that no reasonable offers have been refused.
76. In conclusion, the application has not sufficiently demonstrated that the site is either unsuitably located or no longer viable for commercial purposes. Therefore, the proposal does not comply with Local Plan Policy DP4.

Heritage Assets

77. Local Plan Policy DP20 advises that there will be a presumption in favour of development proposals which seek to protect, preserve and wherever possible enhance the historic interest, cultural value, architectural character, visual appearance and setting of the District's heritage assets and historic environment.
78. The outbuildings are identified as 'Buildings of Character' and as confirmed by the Council's historic buildings adviser are curtilage buildings to the listed building, Allingham Farm (on the basis that they pre date 1948). As such they form part of the listed building (a designated heritage asset) and would continue to do so if they were converted. The NPPF (2021) states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. Any harm to, or loss of, significance of a designated heritage asset should require clear and convincing justification (paras 199-200).
79. No objection is raised in relation to the demolition of the more modern elements of the outbuildings to the north. With regard to the remaining buildings the conversion into dwellings it is considered to be incrementally less desirable the greater the number of dwellings created. The Country Historic Buildings Advisor concluded that:

"In essence this proposal will cause a low degree of less than substantial harm to the setting of Allingham Farm through the creation of a more (but not entirely) residential appearance to the site as opposed to a former farmstead. This low level of harm is balanced by the conversion of these former farmstead buildings, but only just.

This assessment is subject to the below conditions being applied which are recommended to prevent incremental harm through the conversion of these dwellings and any permitted development rights they will gain. Should you have other additional concerns with this application please ensure you do not double count the benefits of preserving the Building of Character."

80. The Historic Buildings Advisor stated there would be no material impact on the special interest of the listed building or the significance of the un-designated heritage assets in accordance with policies 195 and 199 of the NPPF. In this

case, it is considered that there would be no clear net-benefit on heritage grounds of converting the buildings to residential use. The conversion of the former farmstead building weighs slightly in favour of the proposal, yet it would result in a low degree of less than substantial harm to the setting of Allingham Farm through the formation of a more residential appearance of the site which weighs against the proposal.

81. It is acknowledged that the heritage objection was not a refusal reason upheld by the Planning Committee during the determination of application 2020/508 given that the County Historic Buildings Advisor's conclusion was an "on-balance" approach. In this case, no objections are raised in relation to Local Plan Policy DP20 and the relevant heritage policies within the NPPF (found in Chapter 16, from policy 189).

Character and Appearance

82. 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.
83. 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.
84. Given the proposed change of use, the proposal would impact the character and appearance of the site and surrounding area. The proposed development would result in the demolition of some of the outbuilding additions on site and the formation of four separate residential curtilages. However, it is considered that the changes could be accommodated without significant harm to the character of the appearance of the area. It is noted in reaching this conclusion that no objection on character and appearance grounds was raised under the previous planning applications 2018/373, which was for a more intensive form of development, and 2020/508.

Residential Amenities

85. 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 other adverse effect. Policy DP7 of the Local Plan: Part 2 has the same objectives of protecting neighbouring amenity embodied in criteria 6-9. The policy contains minimum distance relating to new development and existing properties of 14m between principal windows of existing dwellings and the walls of new buildings without windows and 22m where habitable rooms of properties would be in direct alignment.
86. Plot 1, the detached unit, would be sited on the northern boundary. However, it would be separated over 16m away from the built form of the neighbouring property, Firs Lodge, to the north. As such, given the separation distance and the single storey nature of the buildings subject of the application, the proposal would not adversely impact upon the amenities of this neighbouring property

by reason of adverse overlooking, undue noise or disturbance or an overbearing nature.

87. Allingham Farm is located within the blue edging of the application site and would be located within close proximity of the buildings to be converted to residential use. However, given the existing shared access arrangements and single storey nature of the buildings, it is not considered that the proposal would result in a significant loss of privacy upon Allingham Farm and would not adversely impact upon its amenity.

88. Sub-paragraph B(8) of Policy DP7 of the Local Plan requires that proposals provide a satisfactory environment for the occupiers of both the existing and new development. The Government Publication – ‘Technical housing standards – nationally described space standard’ March 2015, sets out the recommended minimum gross internal floor areas for dwellings as set out below within Table 1. Whilst it is acknowledged that these Standards do not form part of the Development Plan; it does provide helpful guidance in relation to minimum space standards for dwellinghouses. In the case of this application, the buildings to be converted are single storey and the internal footprint for each of the dwellinghouses proposed is as follows;

Plot 1 58m²
 Plot 2 47.2m²
 Plot 3 40.7m²
 Plot 4 50.4m²

Table 1 - Minimum gross internal floor areas and storage (m²)

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

89. One of the refusal reasons from the previous scheme, 2020/508, was that the proposal would fail to provide a satisfactory living environment for future occupiers given the small floor area of the plots, height of the buildings and lack of appropriate external amenity space serving plot 2 and its poor outlook. This revised application has sought to overcome the previous refusal reason with the omission of the communal landscaped area to the north of the site resulting in larger private garden areas and internal alterations.

90. Whilst the internal footprint of the four dwellinghouses is largely similar to that previously sought, this revised scheme has revised the internal layout of the dwellinghouses. Each of the units would have one bedroom, although plots 1

and 4 have separate utility rooms which could theoretically be used as second smaller bedrooms; however, this could not be controlled as part of a planning permission. Furthermore, whilst the submission states that units 3 and 4 are “1-person units”, this also could not be controlled as part of a planning permission. However, it is noted that the main bedroom within unit 4 would be suitable for 2 persons. The submission acknowledges that the footprint of plot 2 is “marginally” below the recommended standards for 2-persons, but states that this is compensated by the larger garden area. On balance, it is considered that the proposed dwellinghouses provide a satisfactory living environment for future occupants in relation to their internal footprint and that the application would not be warranted for refusal on this ground.

91. In relation to the internal head height of the buildings to be converted, the submission states that this would be improved in comparison with the previous scheme “as they would now feature vaulted roofs”. As set out within the Government’s ‘Technical housing standards – nationally described space standard’ March 2015, “the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area”. The various eaves heights of the buildings range from 2m – 2.49m which the majority of the buildings measuring between 2.13m – 2.26m. However, as a result of the intended vaulted roofs, the submission states that a minimum head height of 2.5m would be achieved within most instances. As such, the internal head height of the buildings to be converted would result in a satisfactory living environment for future occupiers.
92. Each plot would have its own garden area and would provide an ample level of external amenity space to plots 1, 3 and 4 and a satisfactory level of external amenity space to plot 2. In addition, a satisfactory outlook for each of the dwellinghouses would be provided. The proposal shows 7 car parking spaces to serve the development and an increased area of hard standing to the west to provide the enlarged driveway and turning area to serve the four dwellinghouses. The proposal would not result in a cramped living environment or unacceptable form of residential accommodation to warrant a refusal reason. On balance, it is considered that the proposal would provide a satisfactory living environment for future occupiers of the residential units which would comply with Local Plan Policy DP7.

Trees and Landscaping

93. Policy CSP18 of the Core Strategy requires that development must have regard to the topography of the site, important trees and groups of trees and other important features that need to be retained. Criterion 13 of Local Plan Policy DP7 requires that where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes provision for the retention of existing trees that are important by virtue of their significance within the local landscape.
94. The Tandridge Trees and Soft Landscaping SPD (2017) outlines the importance of landscaping which applies to urban and rural areas and advises that it is ‘*essential that the design of the spaces around buildings is given the same level of consideration from the outset as the design of the buildings themselves*’. Trees are not only a landscape and environmental benefit but, as the SPD outlines, a health benefit for people which enhances their environment.
95. The Council’s Senior Tree Officer was consulted on the application and advised that; “The submitted arboricultural report has not been updated to correspond

with the revised scheme, however from an arboricultural perspective the impact is very similar and my comments remain largely the same as for the previously refused proposal 2020/508. This application requires the construction of a new dwelling in very close proximity to a large mature oak tree that is growing on the neighbouring property. The tree is given an 'A' category within the submitted Arboricultural Impact Assessment, and I consider it to be important in a policy context. There is an existing building within the same footprint as the proposed, but it is highly likely that the foundation depth required for the new building will need to be of a much greater depth. If constructed using conventional concrete trench and fill foundations then it is highly likely that significant roots would need to be cut, which may well render the tree unstable and/or cause significant physiological harm to the tree. Whilst I do not consider that this tree has sufficient local and wider amenity value to be made the subject of a TPO, with many far more prominent trees in the vicinity, I do believe it is proportionate to ensure its protection from harm by the imposition of conditions.

96. Being located offsite and not protected by TPO, it would not be reasonable to refuse the application on the basis of overhanging branches and roots that the applicant would have common law rights to prune, but as I have said, I do consider it reasonable to make provision for the protection of the tree by means of conditions requiring tree protection measures to be employed. There are other mature trees on site to be retained, and these can be protected as indicated within the submitted details, but as the report makes clear, it will be necessary for further details to be supplied. I therefore raise no objections to the proposal, subject to the following conditions". No objection raised, subject to the imposition of conditions (arboricultural method statement, method of construction statement (foundations and hard standing) and hard/soft landscaping details to be submitted, and restriction on further tree works.

Biodiversity

97. 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.
98. 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.
99. A Preliminary Ecological Appraisal from KB Ecology dated 12th October 2017, an Ecological Impact Assessment by Lizard Landscape Design and Ecology dated 29th June 2021, the Planning, Design and Access Statement from White and Sons dated July 2021 was submitted with the application, and during the determination of the application a Bat Survey and Mitigation Strategy dated 13th July 2020 was submitted following clarification sought from Surrey Wildlife Trust (SWT).
100. SWT were consulted on the proposal (full comments above) to assess the impact of the proposal upon biodiversity and they stated that justification should be from the ecologist regarding the information underpinning their assessment of how the building is being used by bats and also provided other comments in relation to sensitive lighting, breeding birds and enhancements.

101. During the determination of the application the agent provided further clarification from the applicant's ecologist to the satisfaction of SWT. However, SWT did state that a further survey is likely to be required as part of the Protected Species Licence application from Natural England in line with the applicant's ecologist's comments.
102. The application has demonstrated that protected species would not be harmed as a result of this development, subject to conditions, in accordance with Core Strategy Policy CSP17 and Local Plan Policy DP19. Had the application been acceptable conditions would have been imposed to ensure the development only progressed in strict accordance with the mitigation measures and biodiversity enhancements set out within the Ecological Impact Assessment and Bat Survey and Mitigation Strategy, a condition requiring the submission of a sensitive lighting management plan prior to commencement of development as recommended by SWT and for submission of full details of the European Protected Species (EPS) licence from Natural England prior to commencement as confirmed to be required by the applicant's ecologist.

Renewable Energy

103. Policy CSP14 of the Core Strategy requires new development of 1-9 residential units to achieve a minimum 10% saving in CO₂ emissions through the provision of renewable energy technologies.
104. A Renewable Energy Statement has been submitted with the application. This Statement concluded that the most appropriate renewable technology for the site would be the installation of air source heat pumps. The Statement does not specifically demonstrate how the proposal would achieve a minimum 10% saving in CO₂ emissions through the provision of renewable energy technologies.
105. No objection on renewable energy grounds was raised under the previous planning applications 2018/373 and 2020/508 which are material considerations in the determination of this application. In this case, had the proposal been acceptable, renewable energy provision could have been controlled by means of a pre-commencement planning condition to demonstrate that the minimum 10% saving in CO₂ emissions would be met. As such, no objections are raised in relation to Core Strategy Policy CSP14.

Sustainability, Highways and Parking Provision

106. The updated NPPF identifies three overarching objectives to achieving sustainable development – economic, social and environmental. The NPPF 2021 states that local planning authorities should support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport, and that developments should be located where practical to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities. The NPPF does, however, recognise that opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
107. Policy CSP1 of the Tandridge District Core Strategy (2008) states that in order to promote sustainable patterns of travel, and in order to make the best use of previously developed land, development will take place within the existing built up areas of the District and be located where there is a choice of mode of

transport available and where the distance to travel to services is minimised. Policy DP1 of the Tandridge District Local Plan Part 2: Detailed Policies (2014) supports sustainable development and advises that applications that accord with the policies of the Local Plan will be approved without delay unless material considerations indicate otherwise.

108. 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 also requires new development to have regard to adopted parking standards and Policy DP5 seeks to ensure that development does not impact highway safety.

109. The County Highway Authority (CHA) raised objection to the proposal and recommended that the application be refused on the grounds that;

“The site is located in an area that suffers from a lack of quality pedestrian and/or cycle links and a shortfall in public transport provision and is unsustainable in transportation terms. Residents would be heavily dependent on the private car for access to normal day to day services and facilities, and the proposed development would be contrary to the sustainable transport objectives of the NPPF, policy CS1 of the Tandridge District Core Strategy and objectives within the Surrey Local Transport Plan (LTP3).”

110. However, the CHA acknowledged the three dimensions to sustainable development and confirmed that the sustainability of the site should not be assessed solely in terms of transport mode and distance. The response acknowledged that planning policy does permit the conversion and re-use of buildings in the Green Belt and hence some developments will not be able to meet the requirements of locational and transport policies and therefore it is for the Local Planning Authority to weigh up this consideration with all other relevant planning policies within the NPPF and Development Plan.

111. It is acknowledged that future occupants of the proposed development would be reliant on the private car, with no safe pedestrian/cycle route to a nearby village or centre, to meet their day to day needs. It is noted that previous application 2018/373 included a reason for refusal on sustainability grounds; however, since the determination of this application recent appeal decisions (including APP/M3645/W/19/3224519) have found that the benefits of providing a dwelling through the conversion of a rural building have outweighed the harm that would arise from the use of car travel; and this is also considered to be applicable in the case of this proposal, which is for a smaller number of units than previously proposed. The NPPF does recognise that opportunities to maximise sustainable transport solutions will vary from urban to rural areas. It is not considered that the proposal would cause unacceptable harm due to its location. It is noted that previous application 2020/508 raised no objection on sustainability grounds. As such, it complies with Policy CSP1 of the Core Strategy and to the Framework.

112. The CHA raised no objection to the proposal on highway safety grounds, and the proposal would utilise the existing access to Allingham Farm. The CHA recommended a number of planning conditions which would have been imposed had the proposal been viewed favourably.

113. In relation to parking provision, the proposal would provide 7 car parking spaces. The Tandridge Parking Standards SPD 2012 requires 1-bedroom houses to have 1.5 spaces unallocated or 1 space allocated plus 1 space

unallocated per 2 dwellings as a 'legible space'. The submission sets out that the dwellings would each have 1 bedroom and if this was the case, then the proposed parking provision would meet the requirements of the SPD. The same standard also applies to 2-bed flats and therefore 7 spaces on site is satisfactory as it is noted that plots 1 and 4 both include utility rooms which given their size could be capable of being single bedrooms and as such as considered as 'bonus' rooms under the Tandridge Parking Standards and as such are counted as bedrooms.

114. The submission does not include provision of cycle parking spaces; however, it is considered that the curtilages would be able accommodate cycle storage that could be addressed by condition. The proposal would comply with the provisions of the NPPF, Core Strategy Policy CSP12 and Local Plan Policy DP5.

Housing Supply

115. It is acknowledged that the proposal would contribute to housing supply within the District at a time when the Local Planning Authority cannot demonstrate a 5-year housing land supply. However, in this instance applying the titled balance and paragraph 11 of the NPPF; the harm is greater in this case, as fully detailed above, than the benefit of four additional units.

Conclusion

116. The proposal would not constitute inappropriate development in the Green Belt. However, the proposal has failed to demonstrate that the site is unsuitably located or that commercial use of the site is no longer viable. Whilst the proposal would be acceptable in relation to other matters and would contribute to local housing supply, albeit of a small scale, this does not outweigh the harm identified above and therefore it is recommended that planning permission be refused.

117. 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 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.

118. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

RECOMMENDATION:

REFUSE

1. The applicant has failed to demonstrate that the existing use of the site is unsuitably located or that the current site is no longer viable in its current form or in an alternative commercial use. As such, the proposal is contrary to Policy DP4 of the Tandridge District Local Plan: Part 2 – Detailed Policies (2014).

This decision relates to drawings numbered 1351 P2001A (including the red-edged site location plan), 1351 P2002A, 1351 P2004A, 1351 P2005A, 1351 P2006A scanned 29 July 2021 and 1351 P2003C scanned 28 October 2021.