

## ITEM 5.2

**Application:** 2022/762

**Location:** Hillview Farm, Grants Lane, Limpsfield RH8 0RH

**Proposal:** Demolition of buildings in storage and light industrial uses (use classes B2 and B8) and erection of two x 3 bed dwellings with study/office and one x 4 bed dwelling with separate office, together with detached double garages and new internal access road (Amended proposal).

**Ward:** Limpsfield

**Decision Level:** Planning Committee

*Constraints - Green Belt, Area of Great Landscape Value, Area of Special Advertising Consent, Ancient Woodland within 500 metres, Railway Line within 30m, Class D Road, Footpath No. 200, Waste Disposal and Minerals C15 - surrey97*

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

This application is reported to Committee following a Member request.

### Summary

Planning permission is sought for the demolition of the existing commercial buildings and the erection of three dwellings. The dwellings proposed are well designed and would not have significant harm on the character and appearance of the site and surrounding area.

The proposal is to redevelop previously developed land and would not have a greater impact on the openness of the Green Belt than the existing development on site, and would have acceptable impacts in terms of the sustainability of the location, impact on residential amenities, trees and biodiversity.

### Site Description

Hillview Farm is located within a rural and Green Belt area of Limpsfield on the western side of Grants Lane and south of the Oxted/Edenbridge railway line. The site is surrounded by open fields to the north and by an Ancient Woodland area to the west and south which is also covered by a Tree Preservation Order (TPO). There are two existing detached dwellings (Collishaw and Rose Oak) which are located to the east of the application site.

The site is occupied by two large, long buildings located along the northern and southern boundaries respectively. These buildings were originally built as poultry rearing units and, from their appearance and form of construction, probably date from the 1950's. The roofs are asbestos sheeting and the walls are a plywood sheeting. The buildings, and thereby the site, have a very run down appearance, and the buildings are approaching the end of their useful life. There is also a lack of basic facilities on site with the only a single portable toilet.

The buildings are divided into five separate units. The units are partially occupied by low-key commercial and domestic storage (car storage and renovation) and a car repair workshop (B2 and B8). Only the car repair workshop appears to provide any permanent on-site employment and that would appear to be for one or possibly two people. One unit is vacant.

The areas between and around the buildings are covered in hard surfacing. The land is predominantly level with boundaries marked by a mixture of post and rail fencing, trees and vegetation. A public footpath runs along the southern boundary of the site.

The character of this rural area is otherwise one of some sporadic dwellings and farms and pastureland bordered by hedgerows and woodland.

### **Relevant History**

91/1112 - Continued use of shed for the storage of motor cars. Approved on 17<sup>th</sup> March 1992

91/1113 - Continued use of part of shed for the storage of oil tanks for fuel for agricultural vehicles. Approved on 17<sup>th</sup> March 1992

2000/646 - Variation of condition 1 of planning permission TA/91/P/1112 to allow storage of imported cars. Approved on 10<sup>th</sup> October 2000

2017/872 - Demolition of existing commercial buildings. Erection of three dwellings. Refused for the following reasons:-

- 1. The site is located outside the existing built up areas of the District where development will take place in order to promote sustainable patterns of travel. The site location is unsustainable in transportation terms, residents of the proposed development 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 CSP1 of the Tandridge District Core Strategy 2008, Policy DP1 of the Tandridge Local Plan: Part 2 - Detailed Policies 2014 and objectives within the Surrey Local Transport Plan (LTP3).*
- 2. The proposal would result in the loss of a commercial industrial site and it has not been demonstrated that the site is unsuitably located or that the current site is no longer viable, even for an alternative commercial use, or as part of a mixed-use development scheme, contrary to Policy DP4 of the Tandridge Local Plan: Part 2 - Detailed Policies 2014.*

There was a subsequent appeal which was dismissed on 7<sup>th</sup> September 2018.

### **Key Issues**

The site lies within the Green Belt where the key issue is whether the proposal would constitute inappropriate development of previously developed land and also whether the proposal would be acceptable with regards to sustainability the impact on adjoining properties and impact on the surrounding countryside.

### **Proposal**

Planning permission is sought for the demolition of the existing buildings currently in storage and light industrial uses (use classes B2 and B8) and erection of 2 x 3 bed dwellings and 1 x 4 bed dwelling together with detached double garages and new internal access road.

## **Development Plan Policy**

Tandridge District Core Strategy 2008 – Policies CSP1, CSP2, CSP3, CSP12, CSP14, CSP15, CSP17, CSP18, CSP19, CSP21, CSP22

Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP4, DP5, DP7, DP9, DP10, DP13, DP19, DP21, DP22

Limpsfield Neighbourhood Plan 2019 – Policies LNP1 and LNP5.

Emerging Tandridge Local Plan 2033 – the Local Plan is still subject to examination and its policies can be given no weight in the determination of this application.

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

Tandridge Parking Standards SPD (2012)

Tandridge Trees and Soft Landscaping SPD (2017)

Surrey Design Guide (2002)

## **National Advice**

National Planning Policy Framework (NPPF) (2021)

Planning Practice Guidance (PPG)

National Design Guide (2019)

## **Material Considerations**

Tandridge Interim Housing Delivery Test Action Plan

## **Statutory Consultation Responses**

### **County Highway Authority**

Revised response - additional information on measurements provided by the applicant and amended condition 4 (cycle parking).

The CHA notes that Grants Lane (D431) is a rural road, with no pedestrian facilities or street lighting and subject to a 40mph speed limit. In addition the existing access arrangement is approximately 58m from the apex of railway bridge, to the north. The site is isolated, in that there are two residences on the opposite side of Grants Lane, but the remaining immediate vicinity is formed on Green Belt land. The nearest settlement, Hurst Green, is approximately 2km (as the crow flies and measured taken to the rail station) to the northwest, which is accessed along Grants Lane or via Public Footpath 200, which runs adjacent to the south of the site. As such, the CHA has the following comments regarding sustainability:

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.

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 nearest bus stop is approximately 2km to the south, whilst the nearest Rail Station is approximately 2km to the northwest (as the crow flies). Both of these distances exceed recommendations found within the Department for Transportation guidance, Providing for Journeys on Foot. 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.

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 is 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.

If the LPA is minded to grant permission, the CHA, having assessed the application on safety, capacity and policy grounds, recommends that conditions be imposed in any permission granted.

**Limpsfield Parish Council** – objects to this application, on the grounds that it would constitute inappropriate development in the Green Belt and if approved would result in the loss of a suitably located commercial premises and local employment.

By way of background, Hillview Farm consists of two single storey buildings which can only be viewed when entering the site. There are 8 lettable units, the majority of the units are currently let. A car repair business, which has been operating from this site for over 25 years and has 5 employees, (2 of which are NVQ apprentices), occupies the largest unit.

This application would represent inappropriate development in the Green Belt, contrary to paragraphs 80, 84 and 147-149 of the National Planning Policy Framework (NPPF) 2021 and Tandridge District Council's planning policies DP10 and DP13.

There are no very special circumstances to support this application in a Green Belt area. The proposed housing is out of keeping with other housing in the area and will detract from the openness of the Green Belt contrary to these policies and NPPF guidance. The existing activities on the site provide an effective use of old farm buildings and have only a minimal impact on the character of the surrounding area.

By contrast, the introduction of housing would be completely out of character, The houses, together with their gardens, lawns, parking areas, hedges, fences and sheds, may be appropriate in an urban or suburban area. However, their impact on the countryside and the Green Belt would be substantial, creating a suburban enclave in an otherwise rural environment.

The impact on the openness and character of the area would be significantly greater than the existing buildings and uses and the development would therefore conflict directly with policies contained in the NPPF.

Secondly, this application if approved would also result in the loss of suitably located commercial premises and result in the loss of employment in the district.

This application is deficient in that it takes no account or make any reference to The Limpsfield Neighbourhood Plan, which was made by Tandridge District Council in June 2019 and now forms part of the district council's development control policies.

The Plan seeks to support the local economy and maintain opportunities for smaller businesses to grow and develop in appropriate locations across the Parish. In terms of the rural economy Policy LNP10 supports the re-use of existing buildings or well-designed new buildings on previously developed land in the countryside, provided, amongst other things, they are necessary for the purpose of agriculture or small-scale enterprise that meet the community needs. The current activities on site are in line with the Neighbourhood Plan. Loss of the business uses to a housing development would, however, conflict with the objectives which the Plan is pursuing.

Tandridge District Council Policy DP4 applies here. The commercial activities on this site do not generate significant commercial traffic, the single-track railway bridge immediately to the North which has both weight and width restrictions ensures that this continues to be the case.

The businesses operating from Hillview Farm continue to enjoy a harmonious relationship with local residents. In 2017, 16 households in Limpsfield submitted comments to the District Council, all objected to planning application 2017/872 and many referenced the unobtrusive nature of the current tenants.

As a neighbouring farm in Grants Lane the former cowsheds have been converted into office space, the office space is fully let to four companies. The owners of the farm are regularly approached by small businesses looking for space.

We believe that this is also the case at Hillview Farm where the existing tenants have had people making similar enquiries, referring them to the owner.

There is undoubtedly a shortage of suitable office and light industrial space for small businesses in the district. The Limpsfield Neighbourhood Plan recognises this and has included policy to promote the alternative use of redundant farm buildings.

Previous planning applications in 2002 and 2017 were refused on the grounds that it was an inappropriate development in the Green Belt which would result in the loss of suitably located commercial premises.

Limpsfield Parish Council believes this to still be the case and therefore objects to this application.

### **Natural England:**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

### **Non-statutory Advice Received**

**Surrey County Council Waste and Minerals** – MWPA raises NO OBJECTION to the proposed development subject to:

1. Tandridge Borough Council being satisfied that the proposed development provides for adequate facilities for waste storage and recycling in accordance with Policy 4 of the SWLP. Such facilities should be maintained and managed for the life of the development
2. The submission of a Waste Management Plan to Tandridge Borough Council demonstrating that waste generated during the demolition, construction and excavation phase of the development is limited to the minimum quantity necessary; and that opportunities for re-use and recycling of any waste generated are maximised in accordance with the Surrey Waste Local Plan 2020.

### **Surrey Wildlife Trust (SWT)**

SWT having reviewed the ecology reports submitted with the application and raise no objection to the grant of planning permission subject to:

- i) immediately prior to the start of development works, a survey of the site by an appropriately qualified and experience ecologist should be undertaken within the proposed development boundary and a 30m buffer, to search for any new badger setts and confirm that any setts present remain inactive. If any badger activity is detected a suitable course of action shall be submitted to and approved in writing by the LPA to prevent harm to this species;
- ii) the applicant to ensure that construction activities on site have regard to the potential presence of terrestrial mammals to ensure that these species do not become trapped in trenches, culverts or pipes. All trenches left open overnight should include a means of escape for any animals that may fall in;
- iii) if badger activity is detected, works should cease and advice from a suitable experienced ecologist sought to prevent harm to this species;
- iv) if any close-boarded fencing is to be used at the site, we recommend that holes of 20cmx20cm are included in the base to allow badger to move freely through the site;
- v) bats do not appear to present a constraint to the proposed development, however, bats are highly mobile and move roost sites frequently. Unidentified bat roosts may still be present. A precautionary approach to works should therefore be implemented;
- vi) advise that compliance with best practice guidance on external lighting is secured through a Sensitive Lighting Management Plan submitted to the LPA for approval in writing prior to commencement of development;
- vii) the applicant should take action to ensure that development activities such as demolition and vegetation or site clearance are timed to avoid the bird nesting season of early March to August inclusive;
- viii) Measures should be taken to enhance the site for European hedgehog:

- ix) the LPA should ensure that the proposed development allows for the permanent retention of a minimum 15m buffer of semi-natural habitat between the adjacent ancient woodland/SNCI and any built development, and that this buffer zone is secured from any future built development through planning obligation;
- x) a condition is imposed on any planning permission to secure the biodiversity net gain that has been identified in the biodiversity net gain assessment; and
- xi) the applicant should be required to implement the development only in accordance with an appropriately detailed Construction Environmental Management Plan.

## **TDC advice**

### **Environmental Health**

The site is within close proximity to a railway line and therefore an acoustic assessment should be carried out including an assessment of the impact of vibration on the proposed dwellings. As long as the applicant follows the recommendations in the acoustic report, then no objections are raised.

**Contaminated Land Officer**: asks for a contamination investigation and remediation condition to be attached to any permission.

**Locality Team** : have commented on requirements for domestic waste collection. The applicant has amended the site and block plans to show a review of the design of the proposed access and turning head. They have confirmed that a refuse vehicle is able to turn on site and therefore on-site collection will be possible.

## **Other Representations**

### Third Party Comments -

- There is an excellent business that would be lost that has been looking after our vehicles for the past 15 years. Existing use of buildings giving some employment to several small enterprises which is much needed in the local area without causing disruption to local people. Job losses, loss of greatly valued local business, reduction in available employment land in Tandridge. To allow application would have an impact financially on the local area. Provides valuable employment and services in the form of a specialist garage. Current use has been established for over 20 years and supports local economy and local employment. Council is under obligation to consider site in its current form and then possibly as an alternative commercial or industrial business use and redevelopment of that use rather than residential development.
- Dwellings would not only blight the area (as current buildings are low level) but hinder the access to the common woodland behind which is enjoyed by so many as well as wildlife that lives there. Appears to be nothing more than a re-hash of the 2017 application refused by committee and strongly refused on appeal in 2018. Reasons for original refusal still stands. Appeal decision confirmed that residential development of the site would result in harmful loss of an employment site and that situation has not changed. Appeal decision found high reliance on private motor vehicles to access local services in breach of Policy CSP1 of the Core Strategy, DP1 of the Local plan and objectives of the local transport plan. Existing buildings are low line and unobtrusive. Old 'chicken houses' are weathered and blend in with the surroundings.

- Grants Lane has for many years enjoyed the tranquil quiet country life servicing the few properties and a farm. Footpath that runs adjacent would be spoilt by this proposal. Thriving environment for wildlife, trees and area of beauty enjoyed by many local residents who live in a tranquil area. There are currently a large number of protected bats, barn owls, tawny owls, little owls along with great crested newts and dormice. Any construction would have an impact on their habitat and detrimental to this area of great landscape value. Developing new properties is counter to the spirit of protecting the landscape.
- Honesland Woods is ancient woodland and intended development would not be suitable for the protection of same. Hillview Farm is within 500m of ancient woodland.
- The application for hugely expensive exclusive executive homes is not in keeping with the area of low density, discrete housing, farm enterprises and low density local businesses on this site. Homes will provide nothing to address local and national housing crisis which is characterised by a desperate lack of affordable and social housing. Size and number on small site would dominate surroundings. Buildings for "light industrial" are vital. Difficult to find sites for small businesses which are vital. Area is characterised by single houses on plots of land. Building multiple houses on a single plot in a cul-de-sac would be out of keeping and would change character of the area. Is it right that thriving businesses are sacrificed to provide housing that very few people can afford in an area devoid of local amenities and no public transport.
- Opportunity cost of short term profit to benefit the few by destroying the site of five sustainable very well established businesses - this is simply too great for an approval of this site to make any financial or moral sense in the medium term. Loss of employment. Unobtrusive activities offer convenience for residents without burdening access to and parking at the motor repair and maintenance businesses in Oxted's busy town centre. Will be forced to relocate outside of Limpsfield if planning permission is granted.
- Reputational risk to Tandridge Council. The image of a council approving a planning application which turfs out working people from a low impact sustainable site gives an image of placing zero value on social justice, ignoring the national and local housing crisis, and failing to protect employment, the environment and what is in keeping within the area.
- Out of character with locality. Proposed change should be resisted in greenbelt area of high landscape value. Site is AGLV and so requires particular protection. New homes would set wrong planning precedent and change nature and look of area for worse. Far too many houses. New development would increase the height of the buildings on the land, being detrimental to the openness of the Green Belt. Would introduce a new 'settlement' in the middle of Grants Lane, harming the rural character. Would be an inappropriate suburban development in an area that has no such clusters of housing. Conflicts with NPPF. This is a brownfield site that is highly active and productive and certainly not in a redundant way.
- Proposed development would be inconsistent with Limpsfield Neighbourhood Plan, in particulate policies LNP1, 5, 9 and 10. Does not support the Limpsfield local plan, which is part of Tandridge development control policies.
- By allowing this application is would encourage other developers to apply unwarranted pressure on other landowners or those residents with properties with large gardens to sell thus having a further impact on the local area both physically and traffic management. 4 houses would increase traffic 4 fold. Current commercial use does not breach DP4 as does not harm nearby residential property by reason of traffic, noise or general disturbance and is a viable commercial site.



- A major principle of the Green Belt is to prevent 'infilling' between distinct urban areas, whereas this would contribute to the ongoing trend of infill between Edenbridge and Hurst Green. Application does not demonstrate very special circumstances sufficient to outweigh the harm.
- Proposal would have a detrimental affect on sight lines and be visible to neighbours and other users of the local area. Light pollution of a small settlement of 3 houses would be very unnecessary.
- Application form appears likely to contain numerous fundamental errors. These include:
  - Incorrect proposed bedroom total.
  - False declaration of the existing floor space
  - False declaration of no existing employees on site

Total floor space is 1273m<sup>2</sup> therefore the application completely misrepresents and underestimates the commercial floor space. Existing buildings comprise seven units. Only one of these units is currently unlet. Five are fully let and one is used by current owner. Under paragraph 18.8 of Core Strategy, this confirms buildings are not redundant or no longer required for industrial and commercial purposes. Under Policy CSP 22, the Council is under an obligation to seek to make the best use of these existing commercial and industrial sites especially those suitable for occupation by small businesses. This commercial property directly supports the employment of at least 10 people. In accordance with paragraph 18.5 of Core Strategy it is important to ensure existing employment base is protected. Under paragraph 4.4 of Local Plan the retention of this employment site is viable.

- Ignorance of the site explains why the applicant states the site is not viable, when no (or no notable) proportion of rental income over the last 50 years has been reinvested, leaving maintenance to the tenants. This implies continuous profit.
- Contrary to DP4, (A/2), has made no effort to sell the site on the open market for its current B2/B8 usage, with the only transfer of interest being from the original owner to the applicant. Confusing that the applicant states the site is not viable, yet decided to acquire title to the property, with rights to now receive the rental income from tenants. This surely serves as a very recent demonstration of the site's healthy viability. Presume completing successful transfer of title must void justification for change of use under DP4 (A/2).
- Usage restrictions, which prevent site activity in the evening and all Sunday are highly valued but would be lost with a housing development.
- Would conflict with the aims of promoting sustainable transport. Businesses on site have not generated any extra traffic. Number of large vehicles passing down the lane would cause great inconvenience to equestrians and walkers who use Grants Lane and surrounding footpaths and bridleways on a daily basis. Large lorries delivering construction materials will result in much verge damage along Grants Lane. In places there is insufficient width to pass an HGV. This will lead to congestion and unsafe vehicle reversing movements. A survey of the existing road should be added as a planning condition with repair to existing standard. Housing complex would bring a number of extra cars to our narrow country lane and cars coming in and out just below the bridge could be dangerous.
- We do not have mains drainage, no gas, broadband speeds are terrible. Most people have oil boilers.
- The viability report focusses on the state of the buildings, access and possible difficulty in finding replacement tenants. The state of the buildings and access appears satisfactory for the current tenants given the length of time they have

operated from the premises. As there are tenants in place, the viability consideration should focus on the current utilization rather than estimated vacant letting potential. It is clear that the current site is “viable” evidenced by the historic and continuing commercial use T.J. Motors and others have for this site.

- On the basis of previous statements by the County Highway Authority (CHA) 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.

## **Assessment**

### **Key planning considerations:**

The Tandridge District Core Strategy and Detailed Local Plan Policies predate the NPPF as published in 2021. However, paragraph 219 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.

The key planning considerations for the determination of this application are considered to be:

- i) Whether the development is contrary to Green Belt policy;
- ii) Loss of employment land;
- iii) Whether the development is contrary to other policies of the development plan, including sustainability;
- iv) Whether the development is sustainable; and
- v) Impact on the character and appearance of the locality.

### *Green Belt*

The NPPF 2021 supports the protection of Green Belts and the control of development within these designated areas. Paragraph 137 of the NPPF affirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence.

Paragraph 147 of the NPPF (the framework) 2021 advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 goes on to say that in considering any planning application substantial weight is given to any harm to the Green Belt, it affirms that ‘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.’

There is a general presumption against inappropriate development within the Green Belt. Such development is, by definition, harmful to the Green Belt, and should not be approved, except in very special circumstances. The site is located within the Green Belt. The NPPF states that substantial weight should be given to any harm to the Green Belt and that the construction of new buildings should be regarded as inappropriate unless they fall within one of the stated exceptions. These include, inter alia, limited infilling or the partial or complete redevelopment of previously developed sites, whether

redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it.

With regards to land being previously developed, Annex 2 to the NPPF (Glossary) defines previously developed land as:

*'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.'*

The proposal site comprises two large, long buildings containing units used for storage and light industrial purposes (B2/B8) with hard surfaces which would be considered as previously developed land (PDL) as defined by the National Planning Policy Framework. The NPPF would allow for the partial or complete redevelopment of previously developed land (PDL) in the Green Belt so long as such development would not have a greater impact on the openness of the Green Belt than the existing development and would not conflict with the purposes of including land within it.

Planning permission was refused under application 2017/872 for the demolition of the existing buildings and erection of three dwellings which was subsequently dismissed at appeal. Whilst the Inspector considered that the site was an unsuitable location for residential development and harm through loss of an employment site, he agreed that the proposal did not represent inappropriate development in the Green Belt. The current scheme also seeks the demolition of the existing buildings on the site and the erection of three dwellings albeit they are of a slightly different size and design to those previously proposed under application 2017/872.

Therefore, given the layout, design and form of the proposed scheme, it is considered that the proposal would result in no greater impact on the openness of the Green Belt than that considered by the Inspector in his 2018 decision and would be acceptable.

The Tandridge Interim Housing Delivery Test Action Plan (2022) identifies previously developed land in the Green Belt as having potential to assist the Council with its housing land supply and is a material consideration in the determination of this application.

As agreed at Planning Policy Committee on 24 November, the Council will shortly be undertaking a call for sites for new housing development on previously developed land to assist in meeting housing land requirements. Given that 94% of land in Tandridge District is Green Belt, it is to be expected that sites identified in this call for sites will be in the Green Belt. It is important, therefore, that the redevelopment of sites such as this one is considered wholly objectively in order not to set precedents and adversely impact on future decisions on similar previously developed land sites.

#### *Loss of employment land:*

The key development plan policies relating to employment land that are considered in representations on this application to be important in its determination are Core

Strategy Policy CSP22, Tandridge Local Plan Part 2 Detailed Policy DP4 and Limpsfield Neighbourhood Plan Policy LNP10.

Policy DP4 provides that alternative use of commercial and industrial sites will be permitted only where it can be demonstrated that the current use is no longer viable. This should be demonstrated by a minimum 12 month active marketing exercise. However, paragraph 4.5 of the accompanying Written Statement, which needs to be read in conjunction with Policy DP4, provides that the marketing exercise only applies to sites with a lawful use for employment. Reference to the planning history of the application site shows that the site does not have a lawful use for any of the B2 or B8 or domestic storage uses that currently occupy the buildings. Policy DP4 does not therefore apply to the determination of this application.

Neither is Policy LNP10 relevant to the determination of this application. The policy deals with development proposals which support local farms, agriculture and equestrian activities, or proposals for the re-use of an existing building or for provision of a well-designed new building on previously developed land in the countryside. None of these are considerations in the determination of this planning application.

Nevertheless, and with Policy DP4 in mind, the applicant has submitted a Marketing Appraisal document which with the application containing correspondence with the commercial property agents, Robinsons and also Caretaker estates.

Robinsons considered that the existing units are not viable for new lettings given their poor condition with corrugated asbestos roofing. The former farming sheds with their low access height doors are dilapidated and a challenge operationally. They further state that the motor mechanic operating from units 1B and 1C is only possible due to the access from the flank wall of the building rather than opening on the frontage. In addition they advise that the site's relatively remote rural location is less appealing to many small businesses. Any new business park creating units for small businesses would ideally offer 6m eaves height, generous loading aprons and good turning space for HGV's and forklifts. Robinsons consider redevelopment not to be a viable option as the long term investment risk together with the poor access, remote location and impact from increased commercial vehicle movements would be inappropriate for this rural location.

A copy of a letter from Caretakers estates confirms that marketing of Units 2a and 2b around March 2021 which were listed on Zoopla and they received a total of 22 enquiries across a 7 month period. Of the 12 parties who viewed the units the feedback was:

- Too remote
- Poor condition and restricted height
- Lack of modern facilities
- Concerns over storing items which may be susceptible to damp environments

The condition of the existing buildings on site together with the location and lack of interest from potential tenants for the units at Hillview Farm demonstrates through the Market Appraisal document that the site is no longer viable for the purposes of B2 and B8 (light industrial and storage). Whilst it is noted that most of the units on the site are currently occupied, the information provided within the letter from Caretaker estates states that two of the units were let at discounted rental to ensure their occupation. The letter goes on to state that *'typically market rental would be realised at circa £10sq ft-£12sq ft for buildings within this use class, however in order to secure occupations, it has only been possible to achieve rates equating to around £5sq ft'*. Caretakers agree

with the recommendations made by Robinsons in that consideration should be given to the future of the site given the nature of the buildings, as they will remain difficult to occupy on commercially viable terms, given the apparent limited demand due to their condition and location.

Notwithstanding that Policy DP4 is not relevant to the determination of this application, the applicant has sought advice from letting agents about the marketability of the existing units. The applicant has also conducted a marketing exercise for more than a six month period as required by Policy DP4. In both cases the advice received is that units are unlettable in their existing condition and that employment floorspace the development is unviable.

For the above reasons it is considered that the loss of the commercial use of the site is acceptable due to its unsuitable location and condition of the existing buildings and as such there would be no conflict with Core Strategy Policy CSP22.

Both Limpsfield Parish Council and third parties object to the loss of the existing sheds based partly on claims about employment generated by the current site occupiers, including that for apprentices. The Council has not received any schedule of employees per unit on the site that substantiates these claims. The observation of Council officers is that minimal employment (possibly as few as only 2 full-time employees) is generated by the existing uses on the site and that exclusively by the car repair use.

*Other development plan policies and planning considerations, including sustainability:*

i) Location of development

Hillview Farm is located within a rural and Green Belt area of Limpsfield on the side of Grants Lane and south of the Oxted/Edenbridge railway line.

The site is in the open countryside which is designated an Area of Great Landscape Value. Given the local topography and extensive areas of woodland and fields lined by mature hedgerows, the site when redeveloped for housing will not have any adverse landscape impact. The proposed development will consequently not be contrary to development plan Policy CSP20.

Policy CSP1 of the Core Strategy states that in order to promote sustainable patterns of travel and in order to make the best use of previously developed land (PDL), development will take place within existing built up areas and be located where there is a choice of mode of transport available and where the distance to travel is minimised.

Policy LNP13 of the Limpsfield Neighbourhood Plan requires proposals to promote or make better provision for walking, cycling and the use of public transport and improved parking, including making proper provision for those with mobility impairment, will be supported.

Local services that would provide for the day to day needs of the future occupiers of the proposed development are located in Limpsfield Village and Oxted.

Within the appeal decision for 2017/872 the Inspector stated:

*'The nearest local services that would provide for future occupiers day to day needs appear to be located in settlements to the north-west and south east. Grants Lane is relatively narrow and has no footpaths in the vicinity of the appeal site. It is also unlit and heavily shaded by trees in places. This would*

*not make it an attractive option for walking or cycling. This would be particularly so in the dark or bad weather. The nearest public transport services that have been drawn to my attention are a considerable distance from the appeal site. I therefore consider that future occupiers of the proposed dwellings would be likely to be highly reliant on private motor vehicles to access local services.'*

The NPPF 2021, states that local authorities should support a pattern of development, which, where reasonable to do so, facilitates the use of sustainable modes of transport, and that development should be located where practical to give priority to pedestrian and cycle movements and have access to high quality public transport facilities. In this case, it is considered that the site is not easily accessible by other modes of transport and would almost solely be reliant on private car use.

The County Highway Authority (CHA) considers that the application site is not in an ideal location in sustainable transport terms for new residential use, is reliant on the private car and not located within a reasonable walking distance from key services. The CHA also acknowledges that there are three dimensions to sustainable development, that being economic, social and environmental. As such the sustainability of the site should not be assessed purely in terms of transport mode and distance.

Furthermore, the CHA recognises that the applicant has provided within their traffic technical note survey data on the existing ingress/egress of vehicles using the site access leading to the conclusion that the proposed development of 3 dwellings would provide a significant reduction in the number of traffic movements generated by the site, particularly larger vehicles, when compared to the existing commercial use.

The technical note submitted by the applicant also refers to an application at Hookstile House approved under application 2021/1972 which also comprised a development of 3 dwellings. Paragraph 1.2 states:

*'there was previously some concern from the local authority with regards to the sustainability credentials of the site, but this view has recently changed with the delegated approval. Similar to the proposed scheme at Grants Lane, Oxted, Hookstile House is located on a rural lane within Tandridge District and therefore has similar levels of accessibility and sustainability, it is identical in terms of unit numbers and is also in keeping with the local area.'*

The CHA comments on Hookstile House said that despite the unsustainable location in transport terms, there is likely to be a reduction in the trip generation associated with the site as a result of the proposed development. As with this site the CHA also recognised that this is a decision that should include economic and social aspects.

For the above reasons, the proposed development is not considered to conflict with Core Strategy Policy CSP1 with regards to the location of the site and the redevelopment being considered sustainable.

## ii) Character and Appearance

The NPPF states that good design is a key aspect of sustainable development, indivisible from good planning and should contribute positively to making places better for people. It also goes on to say that permission should be refused for development of poor quality which fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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.

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.

Policy LNP2 of the Limpsfield Neighbourhood Plan requires that developments have regard to the character of the surrounding area, whilst Policy LNP3 requires that they should be well designed, reflect the distinctive character of the different parts of the Parish, having regard to the scale, height and form of buildings, the spacing, materials and landscaping. Policy LNP5 sets out that development should only be permitted where it would not have a detrimental impact upon character or landscape.

The NPPF sets out that design is integral to sustainable development and that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The site is currently occupied by two large, dilapidated former agricultural buildings which will be demolished as part of the proposal and would see the erection of three dwellings located fairly centrally within the existing site.

With regards to the siting of the proposed dwellings, plot 1 would be located to the eastern end of the site and is a similar design to that proposed at plot 2 albeit handed. The remaining dwelling at plot 3 is the larger of the three dwellings which would be located towards the western end. Each of the dwellings will have a detached double garage with driveway parking.

Whilst the proposed dwellings would be around 3 metres higher than the existing buildings on the site, they would have a smaller combined footprint and would have a lesser degree of built form. The dwellings proposed would be well separated from each other and from the existing site boundaries. The proposed design is traditional, however, a condition requiring the submission of proposed materials to be used in the dwellings to be agreed by the Local Planning Authority should be added to the planning permission.

For the above reasons, it is considered that the proposed development would be acceptable in terms of character and appearance and would therefore comply with the provisions of Policies DP7 of the Tandridge Local Plan: Part 2 - Detailed Policies and Policy CSP18 of the Core Strategy.

iii) Residential amenity

Policy CSP18 of the Core Strategy requires that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect.

Criteria 6 – 9 (inclusive) of Policy DP7 of the Local Plan Part 2: Detailed Policies seeks to safeguard amenities of neighbouring properties, including minimum distances that

will be sought between existing and proposed buildings. Policy DP7 also requires that the proposed development provide satisfactory living conditions for future occupants.

The site is relatively isolated with respect to neighbouring dwellings with the exception of two dwellings to the eastern side of Grants Lane. There is a separation distance of approximately 40 metres between the flank wall of Plot 1 and the west facing elevation of the neighbouring dwelling Collishaw. The plans show that the existing trees and vegetation will be retained along the eastern boundary of the site (Grants Lane) thus providing adequate screening from the dwellings close to the site.

Rose Oak is sited to the south of Collishaw and as such is likely to be less impacted by the proposed development.

For the reasons above, the proposal is considered acceptable in terms of the potential impact upon the residential amenities and would therefore comply with the provisions of Policy DP7 of the Tandridge Local Plan: Part 2 - Detailed Policies and Policy CSP18 of the Core Strategy.

iv) Highways and parking

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.

Each plot has a double garage measuring 7.4m x 6.5m which is sufficient for parking 2 vehicles. In addition to this there will be a private driveway for each dwelling which would provide further parking. The submitted technical note states that '*there is adequate room on each plot to accommodate a minimum of 3 parking spaces in accordance with the standards*'. Provision has also been made within the site for a visitors parking layby. It is considered that the proposed parking would accord with the requirements as set out in the Tandridge Parking Standards SPD. The CHA has not raised any objection to this application on highway safety grounds.

For the above reason the proposal would therefore comply with Policy CSP18 of the Core Strategy and Policies DP5 and DP7 of the Local Plan.

v) Trees

Core Strategy Policy CSP 18 (Character and Design) requires that: 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.

Paragraph 13 of Policy DP7 of the Local Plan states:

*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. Their significance may be as a result of their size, form and maturity, or because they are rare or unusual. Younger trees that have the potential to add significant value to the landscape character in the future should also be retained where possible. Their retention should be reflected in the proposed development layout, allowing sufficient space for new and young trees to grow to maturity, both above and below ground. Where existing trees are felled prior to permission for development*



*being sought, the Council may require replacement planting as part of any permission granted.*

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. Further guidance on the consideration of trees in relation to development is provided within the Tandridge Trees and Soft Landscaping SPD (2017).

The Tree Officer has been consulted and his comments are as follows:

*'Thank you for consulting me. I am familiar with this site as I was also consulted on the 2017/872 application which was dismissed at appeal.*

*I have carried out a further site visit, specifically to assess T4, which was previously shown for removal to accommodate a widened access, but is now shown to be retained.*

*I am satisfied that the development can be facilitated without harm, as all significant trees are on the boundaries and are to be retained. The protection shown on the Quaife Woodlands Tree Protection Plan and described within the associated report would be sufficient to provide for their protection during development, and I am satisfied that the relationship between trees and dwellings would be sustainable in the long term.*

*One thing I would suggest is that there is insufficient enhancement tree planting on the site, with only one additional tree shown. Instead there are numerous shrubs shown planted and also hedging. Whilst I would of course be happy with shrub planting, we will also require additional trees, for which there is ample room, and hedge planting should be made up of native hedgerow species in order to blend with the rural landscape character.*

*I have no objections, and should you be minded to permit the scheme, I would recommend that the tree protection plan and arboricultural report are included within the approved documents, or within a compliance condition. I would also recommend that our standard hard and soft landscaping condition is applied.'*

For the above reason It is therefore considered that the proposal would be in accordance with Policy CSP18 of the Core Strategy and Policy DP7 of the Local Plan.

vi) Ecology

The NPPF paragraph 180 states that 'when determining planning applications, local planning authorities should apply the following principles' and in section d) it goes on to say 'development whose primary objective is to conserve or enhance biodiversity should be supported; whilst opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate'.

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.

Policy DP19 of the Local Plan Part 2: Detailed Policies 2014 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.

A Preliminary Ecological Appraisal (PEA) prepared by the Ecology Partnership dated March 2022 has been submitted with the application, and this identifies the biodiversity potential of the site. Surrey Wildlife Trust (SWT) have reviewed the proposals and made comprehensive recommendations which it is considered are appropriate to add suitably worded conditions to ensure compliance.

As such, the proposal would comply with the provisions of Core Strategy Policy CSP17 and Policy DP19 of the Local Plan.

vii) Renewables

Policy CSP14 requires the reduction of carbon dioxide (CO<sub>2</sub>) emissions by means of on-site renewable energy technology. The SAP calculations and Energy Statement submitted with the application demonstrates that photovoltaic solar panels would be sufficient to provide a sufficient carbon emissions reduction to meet the 10% target set out in Policy CSP14. The implementation of the renewable energy technologies would be secured by planning condition.

viii) Contaminated land

The Council's contaminated land officer was consulted as part of the assessment of the planning application and has recommended a land contamination condition requiring that a scheme of investigation and if necessary decontamination and validation, to be agreed by the Local Planning Authority (LPA) is added should the permission be granted. As such, it is not considered that there would be any conflict with Local Plan Policy DP22.

ix) CIL

This development is CIL liable.

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

Development plan policies with respect to safeguarding employment land do not apply to these development proposals.

The site is previously developed land and its redevelopment for housing will not be inappropriate development in the Green Belt.

The design of the proposed development would respect and reflect the character and appearance of the site and surrounding area. Whilst it is recognised that the future occupiers of the dwellings would be highly reliant on the use of a car, the proposal would enhance the setting of the site which would improve the sustainability of the site compared with the existing buildings and their use. As such, it is recommended that the application is approved.

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 the NPPF 2021. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.

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 start not later than the expiration of 3 years from the date of this permission.

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

2. This decision refers to drawings numbered GL/582/EXP20, GL/582/EXP21, GL/582/G10, GL/582/PD10 Rev A; GL/582/PD11, GL/582/SS20 Rev A: scanned on 13<sup>th</sup> July 2022, 502.0149.004, GL/582/SP20 Rev B: and red-edged site plan GL/582/BP20 Rev A: scanned on 17<sup>th</sup> October 2022. 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. Before any above ground works commence, details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

Reason: To enable the Local Planning Authority to exercise control over the type and colour of materials, so as to enhance the development and to ensure that the new works are appropriate to the character of the area in accordance with Policy CSP18 of the Tandridge Local Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

4. No works above ground level shall commence until details demonstrating 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.

5. No development shall commence until full details of both hard and soft landscape works have been 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
- hard surfacing materials
- minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, 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 Local Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

6. No demolition or building operations shall commence until the tree protection measures detailed within the approved Tree Protection Plan (reference) and Arboricultural Method Statement have been implemented. Thereafter these measures shall be retained and any specified staging of works strictly adhered to throughout the course of development, and shall not be varied without the written agreement of the Local Planning Authority.

In any event, the following restrictions shall be strictly observed unless otherwise agreed by the Local Planning Authority:

- (a) No bonfires shall take place within the root protection area (RPA) or within a position where heat could affect foliage or branches.
- (b) No further trenches, drains or service runs shall be sited within the RPA of any retained trees.
- (c) No further changes in ground levels or excavations shall take place within the RPA of any retained trees.

Reason: To prevent damage to trees in the interest of the visual amenities of the area in accordance with Policy CSP18 of the Tandridge Local Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

7. Prior to the commencement of any construction, demolition and excavation works, a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include the following:
  - a) Map showing the location of all ecological features
  - b) Risk assessment of the potentially damaging construction activities
  - c) Practical measures to avoid and reduce impacts during construction#
  - d) Location and timing of works to avoid harm to biodiversity features
  - e) Responsible persons and lines of communication
  - f) Use of protective fencing, exclusion barriers and warning signs.

Reason: To safeguard the ecological interest of the site in accordance with Policy CSP17 of the Tandridge Local Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

8. Prior to the commencement of any construction, demolition and excavation works, a Landscape and Ecological Management Plan (LEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include the following:
  - a) Description, location plan, and evaluation of features to be managed
  - b) Ecological trends and constraints on site that might influence management
  - c) Aims and objectives of management
  - d) Appropriate management options for achieving aims and objectives
  - e) Prescriptions for management actions, together with a plan of management compartments
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
  - g) Details of the body or organisation responsible for implementation of the plan
  - h) Ongoing monitoring and remedial measures
  - i) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.
  - j) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Reason: To safeguard the ecological interest of the site in accordance with Policy CSP17 of the Tandridge Local Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

9. Prior to the commencement of any construction, demolition and excavation works, a survey of the site by an appropriately qualified and experience ecologist should be undertaken within the proposed development boundary and a 30m buffer, to search for any new badger setts and confirm that any setts present remain inactive. If any badger activity is detected a suitable course of

action shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the ecological interest of the site in accordance with Policy CSP17 of the Tandridge Local Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

10. Prior to commencement of development a Sensitive Lighting Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development will result in no net increase in external artificial lighting in order to comply with above referenced legislation and the recommendations of the Bat Conservation Trusts' document entitled 'Bats and Lighting in the UK - Bats and The Built Environment Series' and to safeguard the ecological interest of the site in accordance with Policy CSP17 of the Tandridge Local Core Strategy 2008 and Policy DP19 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 dwelling(s) 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 the character of the area and amenities of nearby properties, in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy 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 2015 (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 [apart from those expressly authorised as part of this permission] without the express permission of the Local Planning Authority.

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

13. At least 28 days before the development hereby permitted commences, a detailed written scheme of assessment consisting of site reconnaissance, conceptual model, risk assessment and schedule of investigation shall be submitted to and approved in writing by the Local Planning Authority. Before commencement of development above ground the scheme of assessment shall be carried out at such points and to such depth as the Local Planning Authority may reasonably stipulate and laboratory results shall be provided as numeric values in an electronic formatted spreadsheet in accordance with the standards of the *Government Guidance for Land affected by Contamination*. A scheme for decontamination and validation shall then be agreed in writing by the Local Planning Authority and the scheme as approved including provision of suitable soft landscaping where necessary shall be implemented before any part of the development hereby permitted is occupied.

Reason: This condition is essential to ensure satisfactory amelioration of contaminated land, in accordance with Policy DP22 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

14. The development hereby approved shall not be first occupied unless and until a scheme to be submitted to and approved in writing by the Local Planning Authority demonstrating the visibility zones achievable and thereafter these shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.

Reason: To ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users to accord with Policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014

15. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / turning area shall be retained and maintained for their designated purposes.

Reason: To ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users to accord with Policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014

16. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast-charge Electric Vehicle charging point (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: The condition is required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019, to meet 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.

17. The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles and the provision of a charging point for e-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The condition is required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019, to meet 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.

18. No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) HGV deliveries and hours of operation, including the use of banksmen
- (f) vehicle routing, to be agreed with the LPA
- (g) measures to prevent the deposit of materials on the highway
- (h) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: To ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users to accord with Policy CSP12 of the Tandridge District Core Strategy 2008 and Policy DP5 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. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form or modify a vehicle crossover or to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs).
4. 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. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.



5. The developer is advised that Public Footpath Number 200 is adjacent to the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.
6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
7. 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).
8. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
9. 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
10. Where details of materials are required please provide these via a link to a website or in another electronic format. Please make sure if providing a link that it is clear which material(s) is/are being proposed for use. Samples should not be provided unless specifically requested by the case officer.
11. The applicant should take action to ensure that development activities such as demolition and vegetation or site clearance are timed to avoid the bird nesting season of early March to August inclusive.