

ITEM 5.3

Application: 2021/578

Location: Rough Beech Barn And Bungalows 1 & 2 Dowlands Lane
Smallfield Surrey RH6 9SD

Proposal: Conversion of 1 & 2 Dowlands Bungalows from Use Class C3 (dwellinghouses) to Use Class E (offices). Conversion of Rough Beech Barn from Use Class E (offices) into Use Class C3 (dwellinghouses) 2 x 3-bedroom dwellinghouses including the erection of a single storey side extension, alterations to rear roof pitch and removal of rainwater tank and shed. Conversion of existing outbuilding for use as a studio solely for unit 2. Formation of associated garden areas, car parking areas, and access paths and alterations to vehicular access arrangements.

Ward: Burstow, Horne and Outwood

Constraints - ASAC, ANC_Wood500, GAT_BIRDSTRIKE, Green Belt, SPA, Gatwick Safeguarding, NATS.

RECOMMENDATION: PERMIT subject to conditions and Section 106 agreement

1. This application is reported to Committee due to the requirement to enter into a Section 106 agreement.

Summary

2. Planning permission is sought for a single storey extension and other alterations to Rough Beech Barn and its conversion from offices to two dwellings. Planning permission is also sought for the conversion of 1 and 2 Dowlands Bungalows, from residential use to offices.
3. This application is an alternative to that approved under TA/2017/2581. This scheme differs from the previous permission as it seeks to convert 1 & 2 Dowlands Bungalows to offices rather than 3 & 4 Dowlands Bungalows with associated landscaping changes.
4. The application site is located adjacent to Rough Beech House, a Grade II listed building. The proposals have been carefully considered to ensure that the setting of the listed building is preserved. It is considered that the proposals do not comprise inappropriate development and that they would preserve the openness of the Green Belt. Issues relating to car parking and the impact of the proposals on the amenities of neighbouring residents have been addressed with the submission of revised drawings. Ecological interests on the site have also been investigated and will be protected and enhanced within the proposed development.
5. A Section 106 agreement has been drafted to require that the existing offices are not converted until 1 & 2 Dowlands Bungalow are occupied as offices. This is in order to ensure that the balance of uses on the site remains as proposed, and to avoid either a loss of residential dwellings or a loss of employment space.

Site Description

6. Rough Beech Barn and 1 and 2 Dowlands Cottages are located on the western side of Dowlands Lane, approximately 150m south of its junction with Plough

Road in open countryside to the east of Smallfield. The site is occupied by a number of buildings which are in a mix of uses as follows:

- Rough Beech – residential dwelling
 - Outbuildings to Rough Beech – Ancillary residential uses
 - Rough Beech Cottage – residential dwelling
 - Rough Beech Barn – offices
 - Outbuilding to Rough Beech Barn – ancillary office use
 - 1-4 Dowlands Cottages – residential dwellings
7. There are a number of vehicular access points into the site from Dowlands Road. The southern access point leads into a car parking court which serves Rough Beech and Rough Beech Cottage and provides visitor parking for the offices. The centrally located access point leads into a car park for the offices, whilst the northern access serves the dwellings at 1-4, Dowlands Cottages. The frontage to the site to Dowlands Road is marked by a mature hedge.
8. Rough Beech is a Grade II listed two storey detached dwelling located in the western part of the property.
9. Rough Beech Barn is a large Sussex Barn which is currently in a B1 office use. The barn is a reclaimed building which was moved to the site at Rough Beech in the 1970's and positioned in the eastern part of the site. The barn is single storey with a central open bay and double height doors to the western elevation. The building has an internal first floor mezzanine. The barn has a pitched roof with half hipped gable ends and is constructed in brick, timber cladding and with a clay pitched roof. The western roof elevation contains an array of PV panels.
10. The outbuilding to the barn is located to the east of the barn adjacent to the highway and comprises a single storey structure with a pitched roof constructed in timber cladding and clay tiles to the sloping roof. The area between the barn, outbuilding and the highway is used as a car park with a gravelled surface.

Relevant History

11. TA/2017/2581- Conversion of Rough Beech Barn to 2 dwellings, erection of single storey side porch extension, alteration to rear roof pitch, removal of rain water tank and shed. Conversion of 3 and 4 Dowlands Cottages to office use (Class B1). Creation of associated garden areas, car parking, driveway and pedestrian walkway. Alteration to vehicle access. (Amended Plans- **Approved** (13/12/2018).

Proposal

12. This application proposes the conversion of 1 & 2 Dowlands Bungalows from Use Class C3 (dwellinghouses) to Use Class E (offices). Conversion of Rough Beech Barn from Use Class E (offices) into Use Class C3 (dwellinghouses) 2 x 3-bedroom dwellinghouses including the erection of a single storey side extension, alterations to rear roof pitch and removal of rainwater tank and shed. Conversion of existing outbuilding for use as a studio solely for unit 2. Formation of associated garden areas, car parking areas, and access paths and alterations to vehicular access arrangements.

Development Plan Policy

13. Tandridge District Core Strategy 2008 – Policies CSP12, CSP14, CSP15, CSP17, CSP18, CSP21 and CSP22.
14. Tandridge Local Plan: Part 2 – Detailed Policies 2014 – Policies DP1, DP4, DP5, DP7, DP10, DP13, DP19 and DP20.
15. Woldingham Neighbourhood Plan 2016 – Not applicable
16. Limpsfield Neighbourhood Plan 2019 – Not applicable
17. Caterham, Chaldon and Whyteleafe Neighbourhood Plan – (2021) – Not applicable
18. Emerging Tandridge Local Plan 2033 – Policies TLP01, TLP02, TLP03, TLP07, TLP10, TLP18, TLP19, TLP37, TLP45

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

19. Tandridge Parking Standards SPD (2012)
20. Surrey Design Guide (2002)

National Advice

21. National Planning Policy Framework (NPPF) (2012)
22. Planning Practice Guidance (PPG)

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

23. Tandridge parking standards SPD (2012)
24. Tandridge Trees and Soft Landscaping SPD (2017)

National Advice

25. National Planning Policy Framework (NPPF) (2021)
26. Planning Practice Guidance (PPG)

Statutory Consultation Responses

27. Full details of the comments received in relation to this application are included within the officer report attached as appendix 1.

Assessment

28. This application is an alternative to that approved under application TA/2017/2581. The conversion of Rough Beech Barn remains substantially unchanged. The proposal however seeks to bring 1 & 2 Downands Bungalows into the red line of the application and convert these dwellings into office space. 3 & 4 Dowlands Bungalows, approved for conversion to office under application TA/2017/2581 will remain as dwellings under this current proposal and has been

taken out of the red line. Landscape alterations are proposed as a result of this change. The layout approved is shown as figure 1 and the proposed scheme as figure 2 below for comparison.

Figure 1- As approved TA/2017/2581

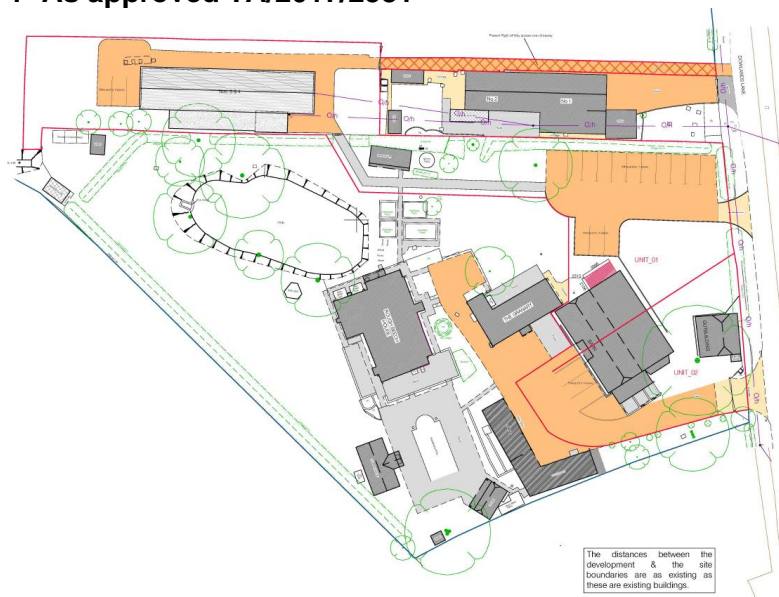
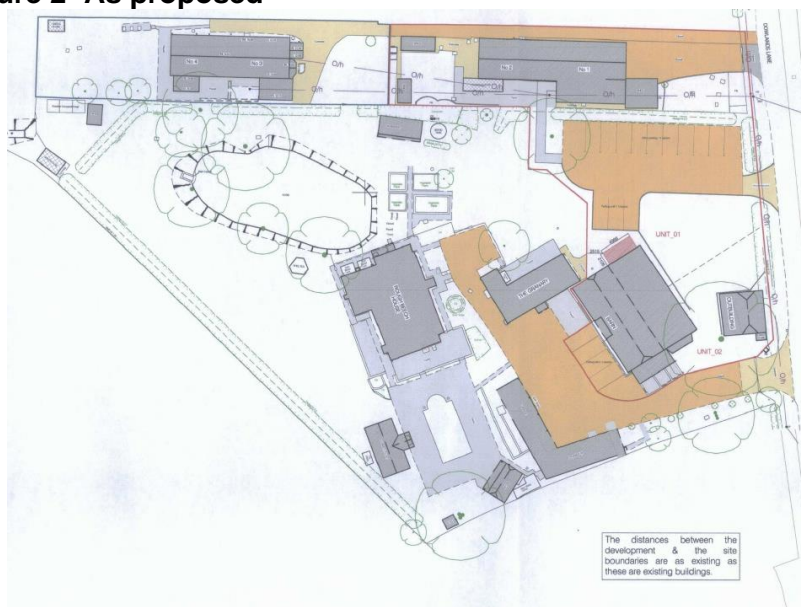


Figure 2- As proposed



29. As with the 2017 application the proposals do not comprise inappropriate development and that they would preserve the openness of the Green Belt. Issues relating to car parking and the impact of the proposals on the amenities of neighbouring residents have been addressed with the submission of revised drawings. Ecological interests on the site have also been investigated and will be protected and enhanced within the proposed development. A full assessment of the planning merits of this application are outlined within the officers' report included as **appendix 1** to this report.

30. In order to ensure that the balance of uses on the site remains as proposed, and to avoid either a loss of residential dwellings or a loss of employment space, the applicants have agreed to enter into a legal agreement to ensure that the office use on the site is implemented and occupied prior to the conversion of the existing offices to the residential use. A similar agreement was entered into under TA/2017/2581 however 3 & 4 Dowlands Bungalows was secured as office space within that agreement rather than 1 & 2 Dowlands Bungalows as it current proposed. A copy of the legal agreement is included as **appendix 2** of this report.

Conclusion

31. In conclusion planning permission is sought for a modest single storey extension and other alterations to Rough Beech Barn and its conversion from offices to two dwellings. Planning permission is also sought for the conversion of 1 and 2 Dowlands Bungalows, also on the application site, from residential use to offices. It is considered that the proposals do not comprise inappropriate development and that they would preserve the openness of the Green Belt.
32. The application site is located adjacent to Rough Beech House, a Grade II listed building. The proposals have been carefully considered to ensure that the setting of the listed building is preserved.
33. Issues relating to car parking and the impact of the proposals on the amenities of neighbouring residents have been addressed with the submission of revised drawings. An updated Preliminary Ecological Appraisal has been submitted with the application which identifies the existence of bat roosts in Rough Beech Barn. The report makes a number of recommendations which will need to be undertaken to ensure the adequate protection of ecological interests on the site.
34. In order to ensure that the development proceeds in accordance with the submitted plans, a legal agreement has been completed to ensure that the offices are completed and occupied prior to the conversion of the Barn to residential dwellings. This will ensure that there is no loss of residential dwellings or a loss of the employment use, contrary to adopted policy.
35. Accordingly, it is considered that the proposals accord with relevant policies set out in the Core Strategy and Local Plan Part 2 and is considered acceptable.
36. This development is CIL liable.
37. 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.
38. 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

paragraphs 214 and 215 of the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.

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

RECOMMENDATION: PERMIT subject to the applicant entering into a Section 106 Agreement in the terms set out in Appendix 2 to this report and 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 499/P1, 499/P2, 499/P3, 499/P4, 499/P5, 499/P6, 499/P11, 499/P12, 499/P13, 499/P14, 499/P15, 499/P16, 499/P17, 499/P18 received on 01/04/2021. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

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

3. No development shall start until full details of both hard and soft landscape works have been submitted to and approved in writing by the District Planning Authority and these works shall be carried out as approved. These details shall include:
 - 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 District Planning Authority, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation. The hard landscape works shall be carried out prior to the occupation of the development.

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

4. Before the development hereby approved is occupied the bathroom windows at ground and first floor levels on the north-western, south-western and south-eastern elevations windows shall be fitted with obscure glass and shall be non-opening unless the parts of the windows which can be opened are more than 1.7m above the floor of the room in which the windows are installed and shall be permanently maintained as such.

Reason: To protect the amenities and privacy of occupiers of adjoining properties in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

5. 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 and turning areas shall be used and retained exclusively for its designated purpose.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, and to ensure that parking is provided and maintained in accordance with the Council's adopted standards, in accordance with Policy CSP12 of the Tandridge District Core Strategy 2008 and Policies DP5 and DP7 of the Tandridge Local Plan: Part 2 - Detailed Policies 2014.

6. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Dowlands Lane has been constructed and provided with visibility zones in accordance with the approved plans and approved in writing by the Local Planning Authority and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

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

7. The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out in Section 4.2 of the Preliminary Ecological Appraisal Survey produced by Arbtech Ltd, dated March 2021.

Reason: To ensure that the ecological interests of the site and any protected species are adequately safeguarded throughout the development, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

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

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and/or are required in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2021 and to satisfy policy CSP12 of the Core Strategy DPDS (2008) and policy DP5 of the TLP Part 2: Detailed Policies (2014).

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

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

10. The works comprised in the conversion and extension of Rough Beech Barn to two dwellings hereby permitted shall not be commenced before the works to convert 1 & 2 Dowlands Bungalows to offices has been completed.

Reason: To ensure the proper planning and development of the site in accordance with the agreed scheme, in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policies DP4, DP7 and DP13 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no form of enlargement of the dwellings hereby permitted shall be carried out without the express permission of the District Planning Authority.

Reason: To retain control over the habitable accommodation at this property and ensure that the dwelling is not enlarged contrary to the District Planning Authority's restrictive policy for the extension of dwellings in the Metropolitan Green Belt in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP13 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

12. The building at 1 & 2 Downands Bungalows shall be used for offices and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure that the District Planning Authority retains strict control over the use of the premises as applied for in accordance with Policy CSP22 of the Tandridge District Core Strategy 2008 and Policy DP13 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

Informatives

1. Condition 02 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 02 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.

The development has been assessed against Tandridge District Core Strategy 2008 Policies CSP12, CSP14, CSP15, CSP17, CSP18, CSP21 and CSP22, Tandridge Local Plan: Part 2: Detailed Policies – Policies DP1, DP4, DP5, DP7, DP10, DP13, DP19 and DP20 and material considerations, including third party representations. It has been concluded that the development, subject to the conditions imposed, would accord with the development plan and there are no other material considerations to justify a refusal of permission.