

## APPENDIX 1

**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**

#### **Summary**

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, 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.

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. 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.

#### **Site Description**

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

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

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serves the dwellings at 1-4, Dowlands Cottages. The frontage to the site to Dowlands Road is marked by a mature hedge.

Rough Beech is a Grade II listed two storey detached dwelling located in the western part of the property. Separate planning and listed building consent applications (2017/1625 and 2017/1681) have been submitted to convert the dwelling to a pair of semi-detached properties. The curtilage of the dwelling also contains an outdoor swimming pool and summer house, a detached store and a detached 'L' shaped building which is used for purposes incidental to the dwelling house. An application to convert the 'L' shaped ancillary building to 2 dwellings (2016/1897) has been withdrawn.

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.

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.

1 and 2 Dowlands Cottages comprise a pair of single storey semi-detached dwellings.

### **Relevant History and Key Issues**

#### Rough Beech and Dowlands Cottages

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) – Granted 14/12/2018

#### Rough Beech

2017/1681 and 2017/1625 - Conversion of Rough Beech House to form two dwellings –

2017/61 – Erection of single storey extension to Rough Beech Cottage – Granted May 2017.

2016/1897 – Conversion and extension of outbuilding to form two dwellings – Withdrawn.

2006/1572 - Change of use of part of existing barn to B1 use, including insertion of windows to existing building.

2003/1079 and 2003/966 – Demolition of porch and erection of a single storey extension to north elevation of dwellinghouse – Permission granted August 2003.

#### 3 & 4 Dowlands Cottages

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2020/1427 – Demolition of existing bungalows 3 & 4. Erection of office building (Class B1). Formation of associated gardens, landscaping, office car parking area and pedestrian access – Refused 28/10/2020

2016/2144 – Demolition of 3 and 4 Dowlands Cottages and construction of two replacement semi-detached dwellings – Permission refused November 2016 and appeal dismissed August 2017.

2016/1278 - Demolition of existing conservatory. Erection of single storey extensions to west and east elevations. (Certificate of Lawfulness for a Proposed Use or Development) – Granted September 2016.

2016/1277 - Erection of single storey infill extension to south and single storey extension to east elevation. (Certificate of Lawfulness for a Proposed Use or Development) – Granted September 2016.

### 1 & 2 Dowlands Cottages

2020/854 Erection of temporary (3 years from decision date) close-boarded timber fence and gates to the front (Retrospective) \_Granted 02/04/2021

### **Main Issues**

The site is located within the Green Belt. The main issue to be considered is whether the proposals constitute inappropriate development within the Green Belt, and if so whether very special circumstances exist which would outweigh the harm caused by reason of inappropriateness and any other harm.

Other issues to be considered are the impact of the proposed development on the character and appearance of the area, the impact of the proposals on the setting of the adjacent listed dwelling at Rough Beech, the impact of the proposals on the amenities of residents in neighbouring properties, the impact of the potential loss of employment accommodation and ecological and highways issues raised by the proposals.

### **Proposal**

Planning permission is sought for the conversion of Rough Beech Barn from offices to a pair of semi-detached 3-bedroom dwellings together with the erection of a single storey side porch extension following the removal of a rain water tank and shed, and an alteration to the pitch of the roof at the rear of the building. Planning permission is also sought for the conversion of 1 and 2 Dowlands Cottages from a residential use to office use (Class B1) together with the creation of associated garden areas, car parking, a driveway and a pedestrian walkway from the reconfigured car park to the proposed offices at 1 and 2 Dowlands Cottage with alterations to the existing vehicle access.

The existing car park to the east of Rough Beech Barn would be used as garden area for each of the new dwellings proposed for the barn, whilst part of the garden area of Rough Beech Cottage would be separated from the property to form an extended car park for the proposed offices with a footpath laid from the car park to the proposed offices via an existing gate in the boundary hedge.

### **Development Plan Policy**

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Tandridge District Core Strategy 2008 – Policies CSP12, CSP14, CSP15, CSP17, CSP18, CSP21 and CSP22.

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

Woldingham Neighbourhood Plan 2016 – Not applicable

Limpsfield Neighbourhood Plan 2019 – Not applicable

Caterham, Chaldon and Whyteleafe Neighbourhood Plan – (2021) – Not applicable

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.**

Tandridge Parking Standards SPD (2012)

Surrey Design Guide (2002)

### **National Advice**

National Planning Policy Framework (NPPF) (2012)

Planning Practice Guidance (PPG)

### **Statutory Consultation Responses**

County Highway Authority – The proposed development has been considered by the County Highway Authority who having assessed the application on safety, capacity and policy grounds, recommends that conditions relating to the provision of the modified vehicular access be provided prior to occupation, that the parking and turning areas be provided prior to occupation, that electric vehicle charging points be provided for each dwelling and for the offices, and that secure cycle parking be provided on the site.

Burstow Parish Council – The PC note that the applicants state that this proposal is to be given 'in lieu' of the existing consent under ref: 2017/2581. However, they consider that the permission granted has been implemented as foundations have been dug around 3 and 4 Dowlands Cottages and therefore that permission has been implemented and could not be rescinded.

They consider that the loss of the dwellings at 1 and 2 Dowlands Cottages, on top of those that would be lost at 3 and 4 Dowlands Cottages would not be acceptable and would result in the loss of small accommodation and bungalows. They state that should the Council be minded to grant permission on this application, a robust legal agreement should be required to ensure that the previous permission on the site is effectively revoked.

The PC recommends that the application be refused unless a legal agreement is in place to protect the status of 3 and 4 Dowlands Cottages and that permitted development rights are removed from 1 and 2 Dowlands Cottages.

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*Officer Comment:* The applicants have responded to these comment by stating that the foundations dug outside nos. 3 and 4 Dowlands Cottages were constructed before the submission of the application ref: 2017/2581 and do not relate to the permission subsequently granted. This has been confirmed by site visit carried out by the Council in 2018. In this regard the previous permission has not be implemented and can be revoked in the event that permission is granted on this application.

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

Surrey Wildlife Trust – We note that the following report has been submitted in support of the current application; ‘Preliminary Ecological Appraisal Survey’, author Arbtech, dated September 2018. Having reviewed the application documents and studied our records, we have the following comments and recommendations.

#### *Protected species - bats*

All species of bat and their roost sites are protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2017. Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) also provides protection making it an offence under the legislation including any activities that may kill, injure or disturb an individual or damages or destroys a breeding site or resting place of that individual. Destruction of a bat roost is therefore an offence, even if the bat is not present at the time of roost removal.

A preliminary Ecological Appraisal Survey, March 2021, has been submitted with the current application. This document identifies four buildings on site. Bat roost suitability for each building is not specifically given, although Table 7 implies from an external survey that B1 has negligible roost suitability. The PEA sets out that B2 was a confirmed bat roost in 2017 for common Pipistrelle and Brown long-eared bat. B3 is described as having limited roost vale based on loose clay tiles. Section 3.6 of the report sets out that B4 has no roosting value.

From information available, earlier applications considered under 2017/1897 and 2017/2581 have different red line boundaries to the current application site and therefore it does not appear that any emergence/re-entry surveys of the application buildings have ever taken place, although SWT state that they have not read the PEA for these applications in detail for the purposes of reviewing this application. In any case, the surveys were undertaken in 2017 and are now almost four years old, which does not constitute up-to-date information. B1 and B2 did not appear to be surveyed internally for access reasons.

SWT therefore advise that prior to determination of the current planning application, the local planning authority should require the applicant to submit additional bat presence/likely absence surveys in accordance with best practice survey guidelines in order to avoid contravention of the relevant legislation.

#### *Sensitive Lighting*

Nocturnal species including bats are known to be present at the development site. These species are sensitive to any increase in artificial lighting of their roosting and foraging places and commuting routes. Paragraph 180 of the NPPF states that planning policies and decisions should limit the impact of light pollution from artificial light on ... dark landscapes and nature conservation.

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Bat species particularly sensitive to light have been recorded within 2km of the site. The applicant should ensure that the proposed development will result in no net increase in external lighting at the development site, in order to comply with the legislation noted above and the recommendations in BCT & ILP (2018) Guidance Note 08/18 – Bats and Artificial Lighting in the UK.

### *Protected Species – Amphibians*

Great Crested newts (GCN) are protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2017. GCN are therefore European Protected species. Offences under this legislation include any activities that may kill, injure or disturb an individual or damages or destroys a breeding site or resting place of that individual.

Common toad are listed as a priority species for conservation action under the UK Biodiversity Action Plan, and are protected from harm in the UK under Schedule 6 of the Wildlife and Countryside Act 1981 (as amended). Common toad is also listed as a species of principal importance within the Natural Environment and Rural Communities (NERC) Act 2006. The NERC Act also places a duty on local planning authorities to have regard to the purposes of conserving bio-diversity within the planning function, where conserving biodiversity is clarified as including restoring or enhancing a population or habitat.

The PEA sets out that a pond is located on site in the north-west area of the site. The pond was subject to GCN survey on 2007 and further eDNA survey in 2018, with no evidence of GCN found at these times. The ecology report makes recommendations for grass to be maintained at a short length during development to discourage amphibian's form using the site. Records held by Natural England confirm presence of GCN in 2014 to the east within close proximity of the site (within 250m of the site) with no major constraints to dispersal. Further, the results of the eDNA surveys are more than three years old.

SWT therefore advise that prior to determination of the current planning application, the local planning authority should require the applicant to submit updated GCN surveys in accordance with best practice survey guidelines in order to avoid contravention of the relevant legislation.

### *Protected Species – Badger and Hedgehog*

Badgers are legally protected under the Protection of Badgers Act 1992 and Schedule 6 of the Wildlife and Countryside Act 1981 (as amended), which makes it illegal to wilfully kill, injure, take, possess or cruelly ill-treat a badger or attempt to do so. It is also an offence to damage, destroy or interfere with a badger sett or disturb a badger while it is occupying a sett.

European hedgehog is listed as a species of Principal Importance within the Natural Environment and Rural Communities (NERC) Act 2006. The NERC Act also places a duty on local planning authorities to have regard to the purposes of conserving bio-diversity within the planning function, where conserving biodiversity is clarified as including restoring or enhancing a population or habitat.

The PEA identified a possible badger run in the north of the site. No information is provided as to whether any further evidence was found on site, therefore SWT assume that no further evidence was found. The ecology report makes recommendations for precautionary working.

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No ecology information is provided with regards to hedgehogs. A desktop search of local records identifies several recent hedgehog sightings within 1km of the site

If the Council is minded to grant planning permission, works should proceed in accordance with Table 7 of the PEA. The applicant should 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 mammals that may fall in.

If close boarded fencing is used at the site, we recommend that holes are included in the base of 20cm x 20cm to allow badgers and other mammals to move freely through the site.

If during the course of works, badger activity is detected, works should cease and the advice of a suitably qualified ecologist sought to prevent harm to this species, which may include the need for further badger surveys for a Natural England licence to allow works to proceed lawfully.

### *Protected Species – Breeding birds*

Government guidance is clear that local planning authorities have a duty to take steps to preserve, maintain and re-establish wild bird habitat, such that bird populations maintain their numbers in areas where they live naturally.

The applicant should be made aware that Part 1 of the Wildlife and Countryside Act 1981 (as amended) makes it an offence to intentionally kill, injure or take any wild bird, or intentionally to damage, take or destroy its nest whilst it is being built or is in use. The applicant should take action to ensure that development activities such as vegetation or site clearance are timed to avoid the bird nest season of early March to August inclusive.

If this is not possible and only small areas of dense vegetation are affected, the site could be inspected for active nests by an ecologist immediately prior to clearance works. If any active nests are found they should be left undisturbed with a buffer zone around them, until it can be confirmed by an ecologist that the nest is no longer in use.

### *Biodiversity Enhancements*

The National Planning Policy Framework (NPPF) makes it clear that “Planning policies and decisions should contribute to and enhance the natural and local environment by ... minimising impacts on and providing net gains in biodiversity...” (para.170). Paragraph 175 also requires that “opportunities to incorporate biodiversity improvements in and around developments should be encouraged”.

This development offers opportunities to restore or enhance biodiversity and such measures will assist the Local Authority in meeting the above obligation and also help offset any localised harm to biodiversity caused by the development process. Should the local planning authority be minded to grant planning permission for the proposed development, SWT recommend that the development should proceed only in strict accordance with the impact avoidance and mitigation measures specified in Table 7 of the PEA and any further protected species surveys undertaken at the site.

In response the applicants have drawn attention to the PES submitted with the application which confirms that the previous GCN/eDNA surveys revealed no

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evidence of GCNs and that there is simply no suitable habitat for GCNs on the site. They state that the likelihood of any survey finding evidence of GCNs is so remote as to render any such survey pointless.

The applicants so point out that the PEA records that the barn and adjacent meeting room outbuildings have not changed since the extant consent 2017/2581 and roosts are very likely to be similarly unchanged. The PEA confirms a commitment to further surveys to inform and secure an EPSL in due course. They therefore consider that any further prior survey is unnecessary.

SWT have provided further comments in response to these comments from the applicants. SWT confirm that as stated in the PEA, a bat roost was recorded in site in 2017 and in line with recommendations in the PEA, it is recommended that prior to the commencement of works, a suite of bat surveys will need to be undertaken to inform a protected species licence application.

### **Other Representations**

#### Third Party Comments

A single objection has been received which repeats the comments made by Burstow Parish Council.

### **Assessment**

#### Procedural Issues

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.

#### Green Belt

The application site is located within the Green Belt. Para. 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Para. 149 sets out a number of exceptions to this, whilst para. 150 states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include the re-use of buildings provided that the buildings are of permanent and substantial construction (part d).

This is also reflected in Local Plan Part 2: Detailed Policies where Policy DP13, part H states an exception to the normal presumption against inappropriate development includes the re-use of buildings within the Green Belt (outside of the Defined Villages) for industrial, commercial, community or residential purposes where:

- 1. The proposal preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;*



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2. *The buildings are of permanent and substantial construction, are structurally sound and capable of re-use without major alterations, adaptations or reconstruction;*
3. *The proposed use can be wholly or substantially contained within the building identified for re-use; and*
4. *The proposal is not likely to result in the need to construct additional agricultural buildings, unless it can be demonstrated that the building to be re-used is no longer suitable for an agricultural use.*

With regards to part 1 of Policy DP13, it is considered that the proposals would preserve the openness of the site. The extension proposed to Rough Beech Barn would be single storey and of modest dimensions. It would have a floor area of 10.4sqm and a maximum height of 5.4m to match the height of the roof of the barn where it is attached. It would be located on the north facing side of the barn and would replace several water tanks located adjacent to the barn. It is considered that the extension would not be a disproportionate addition to the building and would therefore not constitute inappropriate development.

The conversion of Rough Beech Barn to 2 dwellings would also involve a minor alteration to parts of the roof over the single storey element on the eastern side of the building. These extensions would increase the eaves height of the roof to allow for the installation of full height French windows along the rear elevation in place of the existing casement windows. The changes would be of modest dimensions and would not impact on the openness of the site. Other internal changes to both Rough Beech Barn and 1 & 2 Dowlands Cottages would not impact on the external appearance of either building.

In order to create private garden areas for the proposed dwellings within Rough Beech Barn, the existing car park would be reconfigured to be restricted to an area at the northern end of the site alongside the boundary with 1 & 2 Dowlands Cottages. The detached ancillary building adjacent to the Barn would be incorporated into the curtilage of new Unit 2 with amenity space extending up to the eastern boundary. The existing access would be closed, and a new access formed in the eastern boundary hedge to the car park further north along Dowlands Lane to provide a reconfigured access to the car park. These changes would result in a reduction in the amount of hardstanding on the site and would have a positive impact on the appearance of the area. The formation of a path from the car park to the Cottages would require minimal hardstanding and would not impact adversely on the site. It is considered that these changes would preserve the openness of the Green Belt. The applicants state that the existing access would be closed with the planting of a new section of hedge to match the existing. Further details of this can be sought by planning condition.

Part 2 of policy DP13 requires the buildings to be re-used to be of permanent and substantial construction. In both cases, Rough Beech barn and 1 & 2 Dowlands Cottages meet this definition, are structurally sound and are capable of re-use without major alterations, adaptations or reconstruction. The Cottages are to be extended, but the existing building could be re-used in its current state as offices without major alterations of adaptations.

Part 3 of the policy requires the proposed use to be wholly or substantially contained within the building identified for its re-use. In both cases, the uses would be contained within each of the buildings. The formation of a private amenity area for each of the new dwellings would be located on the existing car park for the offices and would not extend into undeveloped parts of the site. The garden areas would be

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screened by existing boundary hedges and would not impact adversely on the openness of the site.

Part 4 of the policy relates to the re-use of agricultural buildings and is not relevant to this application.

It should also be noted that the NPPF (2021) states, in para. 150(e) that material changes in the use of land are also not inappropriate in the Green Belt, provided that they preserve its openness and do not conflict with the purposes of including land within it.

Policy DP13 states in the sub text at the end of the policy as follows:

*Where the re-use of a building within the Green Belt (outside the Defined Villages) for residential purposes would result in the creation of a new isolated home in the countryside, the Council will need to be satisfied that there are special circumstances such as those set out in paragraph 55 of the NPPF. Where permission is granted for the residential re-use of buildings in the Green Belt (outside the Defined Villages), the Council may consider applying conditions which restrict permitted development rights.*

In this case, the re-use of Rough Beech Barn would not result in the formation of a new isolated dwelling in the countryside. The new dwellings within the Barn would be located close to the existing dwellings on the site at Rough Beech House and at Rough Beech Cottage. The proposal would also replace the pair of dwellings at 1 and 2 Dowlands Cottages which in turn would be converted to offices. As a result, there would be no net loss or gain in the number of dwellings on the application site.

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. This has been completed on 09<sup>th</sup> November 2022.

It is considered, therefore, that the proposals would not comprise inappropriate development in the Green Belt and that the openness of the site would be preserved. The requirements of Policy DP13 would, therefore, be met.

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

Core Strategy Policy CSP18 relates to character and design and requires new development to be of a high standard of design that must reflect and respect the character, setting and local context. Policy CSP21 states that the character and distinctiveness of the District's landscape and character will be protected for their own sake.

Local Plan Policy DP7 requires new development to be of a high quality design which should integrate effectively with its surroundings, reinforcing local distinctiveness and landscape character.

The proposals involve minimal alteration to the exterior of the buildings on the site. A small extension is proposed to the northern elevation of Rough Beech Barn, together with minor alterations to the roof, neither of which would impact adversely on the character of the building.

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The proposed conversion of 1 and 2 Dowlands Cottages to offices would only result in limited changes to the external appearance of the Cottages in order to facilitate the change of use. The minor changes proposed would not have a harmful impact on the character and appearance of the site.

Other changes to the site include the reconfiguration of the car parking, the formation of private garden areas for the proposed dwellings and the formation of a path through the garden to the proposed offices at Dowlands Cottage. An existing gate within the northern boundary hedge would be re-used. It is considered that these changes would enhance the setting of Rough Beech Barn and would not have an adverse impact on the character of the site as whole.

It is considered therefore that the proposed development would integrate well with its surroundings and would re-inforce the distinctiveness of the cluster of buildings at Rough Beech House, in accordance with Policies CSP18 and DP7.

### Impact of the proposals on the setting of the adjacent listed dwelling

The application is supported by a Heritage Report which provides an assessment of the impact of the proposed development on the setting of Rough Beech House, a grade II listed building. The report confirms that Rough Beech House is set within the landscape of a former farmstead. The dwelling is 16<sup>th</sup> century with 17<sup>th</sup> century additions and a 20<sup>th</sup> century extension at the rear.

The most notable heritage asset in the area is Smallfield Place, a Grade II\* listed building located to the north. It is located at the junction of Dowlands Lane and Plough Road over 200m to the north. The site is not visible from Smallfield Place and would not have an impact on its setting.

The Report also confirms that Rough Beech Barn is a timber framed building dating from the 17<sup>th</sup> Century which was imported to the site in the 1970's. The Heritage Report states that although the building retains a strong visual identity and is characteristic of a barn of its era, the building has been extensively changed and has been developed in a way which would "not be consistent with a building of excellent and original historic significance."

With regards to the impact of the proposals on the setting of Rough Beech House, the Heritage Report considers that the proposed development will work with the existing building and will be confined to a part of the setting without adversely impacting on the wider area. The changes to the Barn are located at the rear of the building, and the forecourt of the property would continue to be used for parking for Rough Beech House, Rough Beech Cottage and for one of the proposed new dwellings. The impact on the setting of the listed building would not therefore, be significant.

The change of use of the dwellings at Dowlands Cottages to offices would also have only a minimal impact on the setting of the listed building. The Cottages are well screened from the listed building by the hedge on the northern boundary and the change of use would be contained primarily within the building itself.

The Council's Historic Buildings Adviser was not formally consulted on the application but has been made aware of the proposals through the concurrent application for alterations to the listed building at Rough Beech House.

He notes that the new means of enclosure are not stated on the drawings and suggests that a prescriptive the ecological value of the site is enhanced. It is also

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stated that the yard to the west of the barn, south of the cottage and east of the L-shaped garage block should remain unenclosed to reflect the farmyard character of the area. Any new surface should be conditioned. These measures are required in order to preserve the setting of the listed building.

### Impact of the proposals on the amenities of neighbouring residents

Policy DP7 requires that new development should not significantly harm the amenity of neighbouring properties by reason of pollution, traffic or other general disturbance.

The changes to the fenestration on Rough Beech Barn are proposed for the eastern elevation facing towards Dowlands Lane. No additional windows are proposed for the western or northern elevations facing towards adjoining properties. As a result, there would be no additional overlooking of the neighbouring properties.

The reconfiguration of the car park for the proposed offices would result in a greater proportion of the car park being located adjacent to the boundary of the site with 1 and 2 Dowlands Cottages. However, the boundary is marked by a tall hedge and the conversion of 1 and 2 Dowlands Cottages to offices would remove any impact of the parking on residential amenity. Additional parking is provided to the east of nos. 1 and 2 Dowlands Cottages whilst the retained dwellings at nos. 3 and 4 Dowlands Cottages would retain their own parking spaces, access via the track which runs along the northern boundary of the site.

### Relocation of Offices

Core Strategy Policy CSP22, which relates to The Economy, encourages the re-use of buildings within the Green Belt for commercial purposes subject to environmental, farm viability, traffic and amenity considerations.

Local Plan Policy DP4 states that proposals for the alternative use of commercial and industrial sites whether vacant or occupied, will be permitted only where it can be demonstrated that the site is unsuitably located, or the current site use is no longer viable, even for an alternative commercial use, or as part of a redevelopment or mixed-use development scheme.

In this case, the offices currently within Rough Beech barn are to be relocated within the application site to 1 and 2, Dowlands Cottages, with the residential use transferring in the opposite direction. In this regard, whilst there would be a small loss of floorspace in the transfer, the building to be used for the offices at Dowlands Cottages will be refurbished and will provide new premises for the current occupiers of Rough Beech Barn. A statement submitted with the application confirms that the current occupiers of the Barn will relocate to the new re-furbished offices which will provide them with a better standard of office accommodation. In order to ensure that the transfer is achieved and that the proposals result in no net loss of employment or residential dwellings, the applicants have agreed to enter into a legal agreement to ensure that the new office accommodation is provided and occupied prior to the conversion of the barn to 2 dwellings.

It is considered therefore that the proposal complies with the provisions of Policies CSP22 and DP4 in this regard.

### Ecological Issues

Concerns were raised by Surrey Wildlife Trust with regards to the submission of information to address ecological issues. It is noted that a Bat Survey was submitted

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with a previous application on the site, but that the report did not survey all of the buildings in the current application. An updated Preliminary Ecological Assessment has been submitted which covers all of the buildings on the site. SWT have provided further comments in relation to bats, sensitive lighting, breeding birds, badgers and bio-diversity enhancements.

With regards to bats, the bat surveys carried out have identified active bat roosts within Rough Beech Barn and state that the works proposed would be expected to result in the loss or disturbance of the roosts. It is noted that a European Protected Species licence would be required prior to any works commencing, and SWT recommend that all of the actions, including a suite of bat surveys as detailed in the Method Statement referenced in the Ecological Assessment be undertaken.

SWT make other recommendations in relation to landscaping and suggest that native species be used for any new planting, that care should be taken with regards to artificial lighting on the site, the care should be taken with the removal of vegetation and that it should ideally be done outside the main bird nesting season, and that care should be taken in the construction activities to ensure that badgers do not get trapped in any trenches. A condition is recommended to ensure that these measures set out in the PEA are carried out.

### Highways issues

The proposals seek to provide an appropriate form of access and adequate car parking for the proposed uses. Each of the new dwellings would be provided with 3 car parking spaces. The existing access to the car park would be relocated further north to allow for the formation of the private gardens for the proposed dwellings in Rough Beech Barn. No objections have been raised by the County Highway Authority to the access arrangements for the proposed development. The amount of parking proposed for the dwellings would accord with the Tandridge Car Parking Standards, as would the amount of parking proposed for the offices.

The proposal involves the swapping of uses within the application site with the dwellings currently located in 1 and 2 Dowlands cottages moved to Rough Beech Barn and the offices transferred in the opposite direction. As a result, there is no net gain in the number of residential properties on the site, and a slight reduction in the amount of employment floorspace. Given these circumstances, it is considered that the proposal, although in a location which is not easily accessible to other modes of transport, would not result in any additional traffic movements on the highway and a refusal based on this ground alone would not be justified.

### **Conclusions**

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 Cottages, 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.

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.

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

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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.

In order to ensure that the development proceeds in accordance with the submitted plans, a legal agreement has been completed dated 09<sup>th</sup> November 2022 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.

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.

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.

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.

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 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.

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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

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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.



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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 Dowlands 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.