

## ITEM 5.1

**Application for Planning Permission: TA/2022/1161**

**Application for Listed Building Consent: TA/2022/1022**

**Location: Young Epilepsy, St Piers Lane, Lingfield, Surrey, RH7 6PW**

**Proposal: Demolition of buildings and redevelopment to provide a residential care community (Use Class C2) comprising 152 units of accommodation, with associated communal facilities, parking, landscaping, and associated infrastructure; and extension and refurbishment of existing buildings for Young Epilepsy with associated landscaping and parking. Works to the existing link between the farmhouse and the listed barn and the conversion of the vacant and redundant granary to a picnic barn, with storage space within its upper floor. The courtyard area to the south of the farmhouse, alongside the barn and granary would be landscaped to form a new courtyard space to complement the existing and proposed uses in the listed buildings. (Listed Building) (Planning website updated to display file descriptions)**

**Ward: Dormansland and Felcourt**

**Constraints:** *Area of Special Advertising Consent, Ancient Woodland Within 500m, Biodiversity Opportunity Areas, Flood Zone 2, Gatwick Bird Strike Zone, Gatwick Safeguarding 90m, Green Belt, Listed Buildings- Lingfield Hospital School – Grade II Listed Buildings – barn 5 yards east of Lingfield Hospital School II, Listed Buildings – Granary 30 yards southwest of Lingfield Hospital School II, Potential sites of nature conservation interest, Local Road D – St Piers Lane, Local Road B Moor Lane, Environment Agency risk of flooding from surface water 1 in 100, Environment Agency risk of flooding from surface water 1 in 1000, Environment Agency risk of flooding from surface water 1 in 30, Rights of Way footpath 382, Rights of Way footpath 381, Rights of Way footpath 383, Rights of Way footpath 379, Rights of Way footpath 384, Spatial protection areas.*

**APPLICATION TA/2022/1161 FOR PLANNING PERMISSION FOR NEW BUILT DEVELOPMENT, RECOMMENDATION: PERMIT**

**APPLICATION TA/2022/1022 FOR LISTED BUILDING CONSENT, RECOMMENDATION: GRANT**

1. This application is reported to Committee following Member requests for a 'call in' for a recommendation to either Grant or Refuse the application. The Listed Building application was not part of the call-ins.

### **Planning Application Summary**

2. The proposal would result in inappropriate development within and thereby harm to the Green Belt. There are, however, Very Special Circumstances (VSC'S) to be considered including, among other things, financial contributions towards Young Epilepsy by reducing costs associated with maintaining an estate of largely redundant buildings and providing enabling funding to ensure the continued work of this special charity and the significant local employment it generates. Another VSC

is considered to be benefits from conservation of heritage assets (that is listed buildings) on the site enabling their optimum viable use and representing a public benefit. A further VSC is considered to be the creation of a C2 retirement and extra care community in new housing and associated facilities to be built on the site. These VSC's are considered to outweigh the Green Belt and other identified harm. Although the site is located in an unsustainable location, a timetabled bus service, which would be provided to residents in perpetuity in the form of a 15-seater minibus along with the provision of a car club, would be sufficient to overcome this issue. The scale, massing and layout of the development proposal are considered to be acceptable, as the redundant buildings currently in place will be demolished improving the openness of the Green Belt particularly to the west of the site.

3. The VSC's set out within this report are considered sufficient to override the Green Belt and other harm identified by the development proposal and, for this reason, subject to the conditions and Heads of Terms set out in appendices at the end of the report, the application is considered acceptable.
4. There are a number of material considerations both for and against the development arising from national and development plan policy considerations. These are not VSC's. The material considerations also need to be weighed in the planning balance. Overall, these material considerations give weight to the conclusion that planning permission should be granted

#### **Listed Building Consent Application Summary**

5. Although it is unfortunate from a heritage perspective that 1 and 2 Farm Cottages (non-designated heritage assets) will not be retained, their removal in order to reduce the overall building mass on the site in the interests of complying with Green Belt policies is recognised. However, conditions relating to the taking of photographic and written records of the buildings of historic interest should be secured. Details of repairs to the timber framing on the Granary should be submitted by condition. In terms of design, the depth of tile hanging on the on the new buildings should be amended to provide a more appropriate aesthetic in this sensitive location. The design of the lighting bollards should also be re-considered.
6. Overall, the benefits to the historic built environment would include the following:
  - Repairs to the Granary,
  - Loss of hard standing surrounding the listed buildings
  - Loss of the modern building used as a workshop
  - Re-design of the car park to site it further away from the listed buildings
  - Provision of a comprehensive landscaping scheme that would substantially improve the setting to the listed buildings
7. Taking into consideration the potential impact of the development proposal on the setting of the listed buildings, officers consider that these improvements would outweigh the less than substantial harm identified as part of this application. For these reasons, officers consider that the application would be acceptable with the incorporation of the conditions set out, in addition to a Grampian condition to ensure any public benefits are realised before any Green Belt and other harm occurs.

## Site Description

8. The site measures approximately 42.5 hectares forming part of the St Piers Estate which is situated 0.7 km to the east of Lingfield (a larger rural settlement in the Green Belt) and 0.6 km north of Dormansland (a defined village in the Green Belt).
9. Vehicular access is via St Piers Lane, which runs northeast-west, with a dogleg in the road centrally in the site. There are several public rights of way around the site and these can be seen on the site plan below.



Figure 1. Aerial view of the site (outlined in red). Public rights of way highlighted in yellow

10. The site is currently in use as a school and training facility and falls within the C2 Use Class. The facility is run by Young Epilepsy, a charity which provides education and healthcare for children and young people with epilepsy, autism and other neurological conditions. The site contains 83 buildings of which only 43 are currently in use. The derelict buildings have been described as being outdated and unfit for purpose, therefore redundant.
11. There are three Grade II listed buildings (the Farmhouse, Barn and Granary). The formal listing of the farmhouse includes the following description:

*“House, now part office. C16. Timber framed with red and blue brick cladding below across front, tile hung above; exposed frame to right end and on return fronts and rear with brick and rendered infilling. Plain tiled roof hipped with gablet to right. Ridge stack to right of centre. T shape plan with gable front cross wing to right end. 2 storeys, 2 three-light gables eaves dormers across first floor left of centre and left; small 2-light window between. Further 3-light window in first floor of gabled wing to right. Glazed door to left of centre and half glazed leaded door in gabled brick porch to right of centre. Catslide extension to left with one casement window. Wing at right angles to rear centre. situated centrally within the site. highlights the importance of the 16<sup>th</sup> Century farmhouse, with the later built barn and Granary added for group value.*

12. The Barn has the following listing:

*Barn, now dining room. C18 altered in C19 with C20 extensions attached to left. Timber framed on coursed stone plinth weatherboard cladding. Extension to left roughcast brick with tile hung gable. Plain tiled roofs steeply pitched, hipped to right with end gablet. Rectangular with rectangular parallel extension to front left. Single storey wing at right angles to rear with tall end stack. 4 framed bays with large square bay mullion and transom window to right under projecting hipped roof; 18 diamond pane lights. Similar window*

*to centre of right-hand return front. Sash window in right hand side of extension. Door to left of extension in deep recess porch passage.  
Interior:- Timber frame of thin scantling, braced posts and Queen strut roof.  
Included for group value only.*

13. The Granary has the following listing:

*Granary. Late C18. Red brown and blue brick below on coursed stone plinth. Timber framed clad in weatherboarding above. Hipped plain tiled roof square with scroll bracket gutters. Two storeys. Projecting double board doors to ground floor right. Metal garage door to ground floor left. External wood stairs to centre with board door at centre of first floor.  
Included for group value only.*

14. The High Weald Area of Outstanding Natural Beauty (AONB) lies approximately 0.6 km to the southeast, Lingfield Cernes Site of Special Scientific Interest (SSSI) lies approximately 1.2 km to the northwest and Lingfield Wildlife Area Local Nature Reserve (LNR) and Centenary Fields LNR lie approximately 1.3 km to the northwest. Approximately 2 km to the northwest lie two Sites of Nature Conservation Importance (SNCI), Tom's Field (SNCI) and Orchid Meadow (SNCI). In addition to this, the site is a Biodiversity Opportunity Area as well as an Area of Special Advertisements Control (ASAC). The site is situated within the Green Belt (GB) and in Flood Zone 1 (lowest risk of fluvial flooding).
15. Varying densities of woodland surround the site, the most significant being Gratwick's Wood (designated ancient woodland) to the north. The density of trees tapers out to the northwest and varies in thickness to the west. There is some coverage to the south and Carewell Woods (designated ancient woodland) is sited to the southeast. The site is more open to the east. It is noted that St Piers Lane runs through the site centrally, and the views through the site from this lane are relatively open. The site levels decline from the north to the south of the site.
16. Lingfield Train Station is approximately 1 kilometre to the west of the site.

## **The Proposal**

17. The proposal would comprise two elements, one being the C2 retirement/ Extra Care component for the Audley Group and the second being the Young Epilepsy component, used for the purposes of the organisation:
18. For Audley Group element the proposed development comprises:
- The demolition of buildings and redevelopment to provide a residential care community (Use Class C2) comprising 152 units of accommodation, with associated communal facilities, parking, landscaping and associated infrastructure.
  - The change of use of the administration building to the northwest of the Grade II listed farmhouse for use as a shop to sell basic foods and toiletries with ancillary storage/office and WCs.
19. The proposed mix of C2 housing for the Audley element is as follows (note that all units are market housing):

- Block A:  
1 x three storey building containing 3 x 1 and 42 x 2 bed units (45 units in total).
- Block B:  
1 x three storey building containing 18 x 2 bed units.
- Block C1:  
Pair of semi-detached buildings containing 2 x 2 bed units.
- Block C2:  
Pair of semi-detached buildings containing 2 x 2 bed units.
- Block C3:  
Pair of semi-detached buildings containing 2 x 2 bed units.
- Block C4  
Terraced two storey building containing 3 x 2 bed units.
- Block C5  
Terraced two storey building containing 3 x 2 bed units.
- Block C6  
Terraced two storey building containing 3 x 2 bed units.
- Block C7  
Pair of semi-detached buildings containing 2 x 2 bed units.
- Block D  
1 x 3 storey building containing 18 x 2 bed units.
- Block E  
1 x 3 storey building containing 18 x 2 bed units.
- Block F  
1 x 3 storey building containing 18 x 2 bed units.
- Block M 1 x three storey building containing the following:
  - Ground floor - 2 x two bed flats, fitness studio, 2 x treatment rooms, swimming room, sauna, steam room, changing rooms, 3 x office, staff room, plant, laundry, WCs, kitchen, chef's office, bar bistro, restaurant, private dining room.
  - First floor - 8 x two bed flats, 1 x guest room, hobbies studio.
  - Second floor - 8 x two bed flats, 1 x guest room.
- Covered plant enclosure.
- Provision of new wings to the college building; and re-purposing existing buildings.

- Provision of a small ancillary shop to serve the campus.
  - Improvements to the area around the listed buildings (referred to as 'Heritage Square') to comprise the removal of a car parking area and modern building of no architectural merit and the incorporation of a hard and soft landscaped area.
20. For the Young Epilepsy element the proposed development comprises:
- The extension and refurbishment of existing buildings for Young Epilepsy including two single storey extensions to the further education college (to the east of the Listed Buildings) with monopitch roofs and associated landscaping and parking. The refurbishment of the school and college (Use Class C2) will allow the facilities to be brought into line with current standards (Department of Education Condition Grade B). This will ensure an improved educational environment with better facilities for both pupils and staff. The extensions would comprise:
    - Multi skills teaching space, dining area, workshop, 2 x stores, 3 x classrooms, 2 x quiet rooms, time out room, staff room, WCs. Further works to benefit the school are listed below.
    - Replacement residential staff quarters located in Furzewood (northwest of the college extensions) and Paton (south of the games pitch).
    - Replacement occupational Therapy located in the building to the north of the retail area.
    - Replacement play therapy located in the main school building.
    - Replacement staff offices located to the north of the Neville Centre and within the Grade II Listed farmhouse building. Works to the existing link between the Grade II Listed Farmhouse and Barn to provide a lobby with seating area, plant room and WCs. (This element requires Listed Building Consent).
    - Change of use of boathouse to a gym to the southwest of the Granary.
    - Conversion of the vacant and redundant Grade II Listed Granary to a picnic barn (covered seating area where students can go and eat their lunches during break times) with storage space within its upper floor. (This element requires Listed Building Consent).
    - Landscaping of the courtyard area to the south of the farmhouse, alongside the barn and granary to form a new courtyard space to complement the existing and proposed uses in the listed buildings. (This element is also considered under the subject Listed Building Consent).
21. Amendments have been made during the course of the application and are summarised below:
- The three-storey element of the scheme has been reduced by 2 metres
  - The minimum care provision for occupants has been increased to 2 hours (from 1.5 hours)

- An off-site contribution for Affordable Housing of £500,000 has been negotiated
- Contributions for monitoring a site Travel Plan for £12,300 has been negotiated
- Contributions to the NHS to mitigate impacts on local health services of £195,600 has been negotiated
- Bus service using a 15-seat bus for the use of future care residents in perpetuity has been negotiated
- Car club for an electric vehicle for future residents has been negotiate.

## Relevant History

22. There is a lengthy history of planning applications at the application site. The applications detailed below are deemed to be relevant to this specific proposal. Applications 2013/61, 2012/1398, 2009/231, 2007/1636, 2007/622, 2003/1495, 2000/1451, 96/454, 95/573, 95/127, 94/189, 91/1116, 88/1070, 81/287, 76/1050, 75/528, GOR/125/73, GOR/415/73, GOR/408/70, GOR/259/69, GOR/198/69, GOR/7000, GPR/5053, GOR/4731, GOR/2137, GOR/774, GOR/774A were also all submitted with respect to this site but due to their age, the nature of the developments that were proposed or the limited relevance to this proposal, and in the interests of conciseness, it is not considered relevant or necessary to provide full details of those applications at this time. The planning history that is considered to be of relevance to this application includes the following:

2021/1748/EIA - EIA Screening Opinion - Not EIA development - 17/11/2021.

2020/2250 - Granted - 20/05/2021

Removal of existing WCs, modern timber column and relocation of existing kitchen space. Works to existing structural timber column in IT Office and general re-decoration throughout at ground floor level. Removal of existing boiler cisterns and sanitary ware, levelling of existing floor to provide level office space to proposed meeting rooms and confidential space at first floor level. Installation of new lightweight partitions to form new collaboration spaces and relocation of existing door opening to proposed meeting room at first floor level. Installation of new lightweight partitions to form new collaboration spaces, removal of door into lobby area of collaboration space and general re-decoration throughout at first floor level. Minor repair works to external brickwork at various locations including re-mortar of localised areas. (Listed Building Consent).

2020/1074 - Certificate of Lawfulness (existing use or development) - Granted 09/09/2020

The existing and proposed use ongoing is for the provision of residential care home for children with epilepsy. (Certificate of Lawfulness for Existing Use or Development).

2015/1116 - Approved - 10/09/2015

Variation of conditions 2, 3 and 7 of planning application TA/2012/1398 to allow for the renewable energy source to be changed to photovoltaic cells.

2014/896 - Approved - 07/07/2014

Demolition of 12 campus buildings. Erection of school building with ancillary drop off area, associated landscaping and emergency services access – variation of condition nos. 2, 3 and 8 of planning application ta/2012/1398 dated 11 February

2013 to allow alterations to finished floor and roof height levels, size of green roof area, planting specification, retaining wall structures and external landscaping and perimeter fencing and external materials.

2004/425 – Refused – 10/06/2004

Demolition of 90 existing buildings and erection of educational, social and healthcare accommodation and residential development (total 135 units) (outline).

Appeal reference APP/M3645/A/04/1156021. Appeal dismissed due to impact on the Green Belt and lack of very special circumstances. The applications were called-in by the Secretary of State who agreed with the Inspector's decision. Both applications presented an 'enabling development' case with market housing proffered to ensure the continued viability of YE.

2003/1267 – Refused - 18/11/2003

Demolition of 90 existing buildings & erection of educational, social, healthcare accommodation & residential development (total 230 dwellings), with the realignment of St. Piers Lane (outline).

Appeal reference APP/M3645/A/04/1150595. Appeal dismissed due to impact on the Green Belt and lack of very special circumstances. The applications were called-in by the Secretary of State who agreed with the Inspector's decision. Both applications presented an 'enabling development' case with market housing proffered to ensure the continued viability of YE.

## **Development Plan and National Policy**

### Procedural note

23. 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 with the degree of consistency with the current Framework.
24. The NPPF imposes a presumption in favour of sustainable development (paragraph 11). For decision making, this means that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
25. In the absence of a 5-year housing land supply, it can be argued that Tandridge's development plan policies are, in part, out of date.



26. However, with regard to paragraph 11 (d) (i), footnote 7 explains that areas or assets of particular importance include land within the Green Belt and designated heritage assets. It is therefore necessary to assess whether the proposal would be in conflict with Green Belt policy and policies designed to protect heritage assets before deciding whether the presumption in favour applies in this case. The final assessment on this will be undertaken at the end of this report.

Tandridge District Core Strategy 2008

27. Those policies relevant to determination of this application are:

CSP 1	Location of development
CSP 2	Housing provision
CSP 4	Affordable housing
CSP 7	Housing balance
CSP 8	Extra care housing
CSP 11	Infrastructure and services
CSP 12	Managing travel demand
CSP 13	Community, sport and recreation facilities and services
CSP 14	Sustainable construction
CSP 15	Environmental quality
CSP 17	Biodiversity
CSP 18	Character and design
CSP 19	Density
CSP 21	Landscape and countryside
CSP 22	The economy

28. Tandridge Local Plan Part 2 – Detailed Policies 2014

29. Those policies relevant to determination of this application are

DP1	Sustainable development
DP4	Alternative use of commercial and industrial sites
DP5	Highway safety and design
DP7	General policy for new development
DP9	Gates, fences, walls and other means of enclosure
DP10	Green Belt
DP13	Buildings in the Green Belt
DP18	Community, sports and recreational facilities
DP19	Biodiversity, geological conservation and green infrastructure
DP20	Heritage assets
DP21	Sustainable water management
DP22	Minimising contamination, hazards and pollution

30. Other policies or documents relevant to determination of this application are:

Emerging Tandridge Local Plan 2033

Interim Policy Statement for Housing Delivery (IPSHD) September 2022

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

Surrey Design Guide (2002)  
Open Space Strategy 2021-2025

32. National Planning Policy and Guidance

National Planning Policy Framework (NPPF) (2021)  
Planning Practice Guidance (PPG)  
National Design Guide (2019)

**Statutory Consultees (23):**

33. Dormansland Parish Council,

Dormansland Parish Council broadly supports this application, however there is concern that there appears to be no plans to address the absence of a formal walking route between the site and Lingfield (para 7.4 Planning Statement). The creation of a relatively short stretch of footpath along St Piers Lane would help reduce car use by encouraging staff and residents to walk into Lingfield.

34. Surrey County Council Education

No comments received

35. SCC Highways

The development proposal lies outside the settlement area of Lingfield approximately 2 km to the east of its centre which is beyond a reasonable walking distance. Furthermore, the development is situated along St Piers Lane, which is a narrow rural lane with no pavements for the majority of its length and limited street lighting. It has a 40 MPH speed limit although this is reduced to 20 MPH through the Young Epilepsy campus. Walking, cycling and public transport are not currently considered to be safe or practical means of travel to and from the site, so the site is considered to be in an unsustainable location for a residential development in terms of transport and accessibility.

However, notwithstanding this advice, the CHA acknowledges that there are three dimensions to sustainable development – economic, social and environmental – hence the sustainability of the site should not be assessed purely in terms of transport mode and distance. It also acknowledges that planning policy does permit the conversion and re-use of buildings in the Green Belt although some developments would not meet the requirements of locational and transport policies. For this reason, the LPA are required to consider 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 weigh up whether the development proposal would be sustainable in the wider sense. Typically, the CHA would endorse such development proposals being constructed in areas with good sustainable transport modes. However, as the assessment of this application requires the social and economic issues being taken into account in accordance with the NPPF, the CHA have chosen to raise their concerns and leave the final assessment to the LPA.

36. Environment Agency

No comments received

37. Natural England

No comments received

38. Forestry Commission, (Ancient Woodland)

No comments received

39. SCC Adult Social Care

The planning submission assesses demand through the below Housing LIN calculations.

It assumes that enhanced sheltered housing should be included in with extra care housing to form a total of 40 per 1,000 of the 75+ population (presented as 4% in the TA/2022/548 Lingfield House retirement scheme needs assessment). This is, of course, inappropriate as enhanced sheltered housing can be questioned on its validity for C2 and it also cannot be assumed that the model will deliver a 24/7 on-site care presence.

An appropriate measure of extra care housing for sale would therefore be to use 30 per 1,000 of the relevant 75+ population only. Please note that, while SCC's currently published commissioning statement (Commissioning Statement - Accommodation with care, residential & nursing care for older people) Tandridge District Council - April 2019 onwards ([surreycc.gov.uk](http://surreycc.gov.uk)) assumes a lower figure, the methodology will be revised to reflect the above's assumption of 30 per 1,000 metric for market rent and market sale extra care housing (however labelled, e.g. assisted living, integrated retirement community etc) when we publish our new commissioning statements.

Based on the latest population projections available by [www.poppi.org.uk](http://www.poppi.org.uk) (ONS subnational projections published 24 March 2020), the demand for the provision presented by both 2022/548 and 2022/1161 can be calculated as follows for the Tandridge District Council area, using 30 per 1,000 of the 75+ population:

2022 – 294 units

2030 – 339 units

2035 – 366 units

As a result, it could be argued that this setting could meet local gaps in demand for private extra care housing. However, should the application be successful and lead to development, Tandridge District Council would need to consider carefully whether additional sites providing similar capacities would be appropriate to meet longer term demands for private extra care housing.

40. NHS Surrey

In terms of impact on the nearest GP surgery, the following points are made in answer to questions raised by officers:

1. *Will Lingfield Surgery have the capacity to take responsibility for another care home of this size? Do they have the option to refuse to take it on?*

From a capacity of workforce and contractual position – Currently Lingfield have an open list so if the home gets the go ahead the Practice would have no option (in today's position) but to accept the patients. This would be for the delivery of standard GP services to patients. However, there is a real risk that the additional clinical load created by the development of the facility, as on average older residents have a greater call on our GP services and together with the current number of nursing, residential, extra care homes in the area could result in the Practice needing to close their list to new Patients, if the surgery were not able to recruit a sustainable workforce. A closed list would affect the whole population of Lingfield and not just these patients.

2. *If there is insufficient capacity for Lingfield Surgery to provide this care, would there be any other options for nearby surgeries?*

No Lingfield does not have the capacity, there is not another Surgery within Lingfield or within the boundary of this site.

3. *Would Lingfield Surgery need to be extended to be able to cover the additional need?*

Yes, we would need to consider a small extension that will require architectural and planning input and it is likely to reduce onsite parking.

4. *Would there be sufficient car parking at the surgery?*

No, a Practice of this size ideally would have access to c22-27 car parking slots. They have circa 15 spaces including 2 disabled bays and this is currently mitigated in that the Practice is within the town and staff tandem park and patients/staff have access to the local public car park a short distance away.

5. *Would it require more Doctors/Nurses and other staff?*

Yes, it would require more Doctors and Nurses

6. *Taking into consideration the answers you have provided for the above questions would you be able to provide a run-down of the likely costs involved that would allow Lingfield Surgery to provide medical care for the future occupiers of this care home?*

41. Taking into consideration the above answers the likely costs involved would be £195,891 this figure is for the upgrade to the practice, not additional staff.

42. TDC Housing Team

The applicant is proposing a development of 152 units with communal facilities and consulting rooms as part of a proposed integrated retirement community. Where residential dwellings are capable of being independent dwellings they can be regarded as dwellings even where that is an element of care provided. Policy CSP4 does not differentiate between Use Classes and therefore applies to this application. The applicant has submitted a viability appraisal that supports their assertion that the scheme cannot viably support an onsite affordable housing contribution. This appraisal has been robustly tested by an independent viability consultant on behalf of the Council and has concluded that an off-site contribution could be sought.

Council officers have agreed to accept a commuted sum of £500k in lieu of onsite affordable housing which will be used to subsidise the Council's own house building programme. It is the Council's understanding that any higher commuted sum would render the scheme unviable which would in turn jeopardise the future of the charity.

43. Police

In order to reduce crime, the principles of Crime Prevention Through Environmental Design (CPTED) has been applied, with it being set out that whilst the car parking provision for residents, staff and visitors has been conveniently located, some car parking spaces have little natural observation (for security measures) and the design and access statement provides little in terms of car park security. However, as this is not the only consideration for crime prevention in terms of the development as a whole, it would be of benefit to discuss these further with the applicant. This would support Approved document Q of the Building Regulations as well as satisfying the applicant's submitted intentions to achieve a sustainable development. It is advised that use of the Home Office Secured by Design (SD) award scheme as a planning condition would provide both the developer and future residents with police preferred minimal level of security, reducing both the fear of, and the opportunity of, crime in addition to supporting community sustainability clearly in line with current policy.

44. SCC Archaeology

As a summary of the comments received, it has been advised that the site is likely to be of higher archaeological value than anticipated by the applicant. Therefore, if approved, a condition should be imposed on any permission to require further investigation of the site as part of the undertaking of the proposed development

45. Gatwick Airport Safeguarding

No objections, but an informative should be added in the event that wind turbines are added on the site as they can impact on the safe operation of aircraft through interference with aviation radar.

46. SCC Rights of Way

In summary, it has been highlighted that Dormansland Footpaths 381, 383 and 384 are located within the Young Epilepsy site and Dormansland Footpath 379 runs along the eastern boundary. Overall, no objection is raised to the application but works of improvement to the existing footpaths are encouraged and informatives are provided."

#### 47. SCC Listed Buildings

The two heritage statements provided (one for the site as a whole and another for the listed buildings affected by the scheme) is sufficient to meet the requirements of the NPPF.

The significance of the buildings can be summarised as a former farmstead which developed on the edge of common land from the 16th to 18th centuries and later formed part of the school site. Key aspects include the use of materials, plan form, scale and surviving historic fabric.

The immediate setting of the building around a yard contributes to understanding their historic interest as former farmstead buildings. The use of the site as a car park detracts from this. The approach to the buildings along St Piers Lane also contributes to their setting as the road widens and the view opens up once the site of the former common land is reached.

The heritage statement is quite dismissive of the architectural quality and historic interest of the early buildings. The School Buildings, Administrative Block Buildings, Cory, The Chapel and Garden and Tinling Cottages all have clear architectural interest in their form and elevational appearance and they all have some historic interest forming part of the Lingfield Colony site. This would be considered sufficient to meet the requirements set out on the Buildings of Character list, although their significance is only of low value owing to their degree of alteration. In addition, 1 and 2 Farm Cottages should be considered worthy of inclusion on the basis of their good quality brickwork and history as part of the farm site and, as such, they should be considered non-designated heritage assets under paragraph 203 of the NPPF.

The buildings identified as Surge, Whitley, Basden and the Red Cross building are not considered to be of sufficient interest to merit consideration under paragraph 203 of the NPPF because they either did not form part of the initial development of the site or they have limited architectural merit.

The scheme is for quite a major redevelopment of the site with new living accommodation to ensure Young Epilepsy remains viable. This, and the continued use of the listed buildings, is considered to be a public benefit. Overall, the scheme would be acceptable although there are a number of areas set out below which need to be addressed.

The scheme proposes the demolition of a number of non-designated heritage assets. 1 and 2 Farm Cottages are of a reasonably good architectural character and their retention would be supported should the Green Belt balance be met. However, their demolition would not constitute sufficient grounds to refuse the application.

The replacement buildings would not be considered harmful to the setting of built heritage assets. However, design matters for new buildings where they do not impact the setting of the listed building are not relevant to the heritage assessment but the design of the scheme.

The proposed landscaping scheme and demolition of the maintenance building will result in a public benefit to the listed buildings by enhancing their setting. The scheme is well thought out overall with the exception of the stainless-steel bollards which should be replaced with a more appropriate alternative.

The alterations to the link building would be acceptable. Details of the materials appear to be applied and the floor plan changes to the building would not result in any harm to the listed buildings.

The proposals for the granary are deliberately low key because of the challenges of finding a new use for the building without fundamentally changing its character and officers are open to alternative options. At present the extent of repairs to the structure are unknown because the first floor is inaccessible due to the staircase. As such, a condition should be added to ensure the extent of repairs is agreed in writing to prevent harm to the special interest of the listed building.

Should the application be considered favourably, conditions relating to the taking of photographic and written records of the buildings of historic interest should be secured.

Furthermore, details of repairs to the timber framing on the Granary should be submitted.

Finally, should the benefits to the historic built environment be required as part of the planning balance, a Grampian condition should be added to ensure any benefits take place before any harm.

48. Contamination Advice

The information provided is limited due to a lack of context on the plans and the absence of a desk top survey. The inclusion of Inspector's reports would indicate that the site is controversial and the risks from contamination are low. On this basis a pre-commencement condition should be added to any favourable decision in order to ensure that, should any contamination be evident from initial surveys the appropriate mitigation methods are carried out.

49. Historic England

No comment

50. Environmental Health

No objections

51. SCC Local Lead Flood Authority (Drainage and Flooding Team),

Insufficient information has been set out with regard to the following:

- Ground investigations confirming suitability
  - A drainage design that takes into account SuDS hierarchy
- Drainage calculations illustrating existing and proposed surface water discharge rates and volumes

However, in the event of a favourable decision, pre-commencement conditions should be attached relating to the submission of details of the design of a surface water drainage scheme and a verification report that the scheme is acceptable prior to the occupation of development. Finally, if the construction works impact on a watercourse, Surrey County Council should be contacted.

52. Surrey Wildlife Trust

To-date three responses were received, with the comments summarised as follows:

*With respect to bats, the trees at the site have been shown to have a low potential to be used for bat roosting. Pre-commencement conditions should be imposed relating to bat presence/likely absence in the buildings to be demolished. Details of appropriate mitigation works should also be secured by condition along with a condition for the submission of detailed drawings of the Bat Tower.*

53. Tree officer

Looking at the proposals in detail it is apparent to the tree officer that a considerable amount of effort has gone into designing a layout that retains as many high and moderate quality trees as is reasonably possible, and that the retained trees have been given due consideration in terms of their sustainable retention and protection during demolition and construction. There is an acceptable amount of compensatory planting provided.

The ancient nearby woodland has also been provided with a buffer of 15m which is considered sufficient in the context of this site. The proposal accords with planning policy in relation to trees and soft landscape. However, if approved the following conditions relating to a construction management plan including tree protection details and an arboricultural method statement, and a hard and soft landscaping scheme should be applied.

## **Publicity Responses**

54. 53 representations have been received raising the following matters:

- 51 letters had no objections (with 9 employees from Young Epilepsy) to the development with comments as follows:
  - Will allow Young Epilepsy to continue its work
  - Will allow YE to continue its valuable work and as largest employer for Lingfield would allow it to retain jobs
  - Visual improvement to the locality by removal of redundant buildings. Investment to YE would be beneficial to community and beyond
  - Greatly improve the lives of those with Epilepsy
  - Provision of retirement homes will allow relatives to stay in close proximity to their families
  - Development is vital for the survival of YE and restoration of Green Belt
  - Development will have a positive impact on the local economy
  - Improvement to the natural environment for the whole community will be massive
  - Positive impact by removing dangerous and unsightly derelict buildings
  - Provision of retirement homes will allow older residents to downsize and free up family homes in the area
  - Provision of more jobs
  - Lack of housing supply for retirement homes – this application will fulfil a need
- 2 general comments relate to the following:
  - The possibility of a new doctor's surgery



- Previous application for new school building was granted on the proviso that the derelict buildings were demolished. Why are the same buildings being used to justify further development?

## Assessment

55. The assessment of the application will address the following key issues in turn:
- Principle of Development;
  - Impact on the Green Belt;
  - Assessment of the Proposed Use and Housing Need;
  - Infrastructure;
  - Affordable Housing;
  - Socio-economic Matters;
  - Locational Sustainability;
  - Highway Safety, Access and Parking;
  - Character and Appearance;
  - Impact on Heritage Assets;
  - Archaeology;
  - Residential Amenity;
  - Flood Risk;
  - Trees;
  - Biodiversity;
  - Renewable Energy and Energy Efficiency; and
  - Very Special Circumstances.
56. In the assessment of what Very Special Circumstances (VSC) may exist to justify overriding Green Belt policy and granting planning permission, the following weightings (from highest to lowest) will be attributed in considering each VSC:
- Substantial
  - Significant
  - Moderate
  - Limited.

### Principle of Development

#### *Sustainability principles*

57. The NPPF 2021 emphasises that the purpose of the planning system is to achieve sustainable development and there are three overarching objectives by which to achieve this goal:
- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.*
  - b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open*

*spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

- c) *an environmental objective – to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

58. The NPPF also 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) seeks to promote sustainable patterns of travel and make best use of previously developed land, by directing development towards the existing built-up areas of the District, our Category 1 settlements. Development appropriate to the needs of rural communities may be permitted in our Category 2 settlements. The latter comprises those settlements defined as Larger Rural Settlements and those washed over by the Green Belt but that have a defined boundary.
59. As highlighted above, the site is located within Green Belt. The site does not contain any development allocations in the emerging Local Plan.

#### *Location and Transport*

60. The nearest major transport connection is Lingfield Railway Station (approximately 1km) which can be accessed via public footpath 381 to the west of the site. The nearest bus stop can be found along St Pier's Lane approximately 430 metres away, and is currently served by the 231, 233, 236, 281, 315 and 609 buses. The site is approximately 1 km from Lingfield, designated as a Larger Rural Settlement area in the Tandridge Local Plan.
61. Racecourse Road (B2028) provides the most significant road connection in close proximity to the site. Overall, it is considered that the site does not currently benefit from sustainable transport options from this location. Given the use of the site and the needs of the existing and prospective users of the site, there would without some alternative provision be a significant reliance on private cars for journeys.
62. It was concluded by officers that the proposal, as submitted, would have failed to deliver a sustainable form of development in transportation terms as it would not benefit from adequate levels of transport connectivity. However, in order to address this previous shortcoming, it is now proposed that a timetabled electric minibus service will be operated for the use of residents and staff in perpetuity. The minibus will provide transport to nearby settlement areas as well as carrying out day trips for residents. In addition to this, a car club will be provided for the residents in the form of an electric car. This will be promoted as part of the sales and marketing for the development, and free membership will be provided to all residents on the site for 3 years with £30 driving credit to all residents on the site.
63. The specification for both the minibus service and car club have been discussed and agreed by the applicants with SCH.

64. The applicant has also agreed to deliver a contribution of £12,300 (£6.150 per TP) for the monitoring of the Workplace Travel Plan and the Residential Care Community Framework Travel Plan. This would be secured by Section 106 in addition to the provision of the 15-seater demand responsive electric minibus that would be made available for residents. A planning condition relating to the provision of an electric club car would also be put in place. These provisions have been agreed with the SCH and would comply with DP5 of the Tandridge Local Plan Part 2: Detailed Polies 2014-2029. Although it doesn't improve public transport for the locality as a whole, the bus service provided would assist the future occupiers of the development proposal particularly those with reduced mobility in accordance with CSP12 of the Tandridge District Core Strategy. These issues will be carefully weighed in the planning balance at the end of the report.
65. The incorporation of these measures would provide a more sustainable alternative by reducing the need for individual cars and, although the development proposal would not align with Policy CSP1 of the Core Strategy 2008, it would now provide a more sustainable solution in line with the objectives of the NPPF 2021.

*Principle of the land use*

66. The existing site just outside the village of Lingfield is known as St Piers Estate. The site comprises a school and college run by the national charity, Young Epilepsy (YE). YE provides highly specialised educational facilities with residential and day care for 160 children and young adults with complex needs from living with epilepsy, autism and learning difficulties. The Estate contains substantial built development which will be described below but much of this built development is no longer fit for purpose for use by the school and college.
67. Services for children and young people living with epilepsy, autism and learning difficulties have been delivered from St Piers Estate (the Estate) in Lingfield, for over 120 years. Services remain focused on providing essential life changing special education, health and care services to young people with a range of special educational needs, with a specialism in epilepsy. Services are commissioned, primarily, by local authorities and NHS Trusts across London and the South East of England. Delivered by YE, these services currently employ approximately 397 (FTE) local people, making YE the largest employer in Tandridge District.
68. Audley has a subject to planning agreement for part of the western area of the site for the development of a residential care community (Class C2). The intention is for the capital raised, through the eventual sale, to be used to fund critical works to the Estate. That is to bring YE's operational buildings in line with Department for Education Condition Grade B by addressing the maintenance backlog and reducing overheads to remain competitive in the special education market. This is critical to provide a safe and secure environment for pupils and staff.
69. YE requires significant investment to remain financially sustainable beyond 2025. Without this investment there is a real possibility that 397 people will lose their jobs at YE. The children and young people with special educational needs, will be at risk of not being able to continue accessing education. The coming together of Audley and YE represents a final chance to save YE and secure its long-term future.
70. This site is within the Green Belt and would normally be considered unsuitable in planning policy terms for housing development. The site is considered to play a functional role as Green Belt land to check unrestricted sprawl from the surrounding

settlement areas and to protect the open countryside and this will be explored further below. Accordingly, the adopted development plan does not suggest that this site would be suitable for housing or extra care housing.

71. Given that the site lies in the Green Belt an assessment needs to be made in respect of its appropriateness and whether very special circumstances exist that outweigh any identified harm to the Green Belt.

#### Impact on the Green Belt

##### *Policy Background*

72. The proposal site is located within the Green Belt and the National Planning Policy Framework (NPPF) 2021 advises that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and permanence and, to this end, paragraph 147 of the NPPF says that new built development in this area would be considered as inappropriate and therefore harmful and should not be approved except in 'Very Special Circumstances' (VSC). Furthermore, NPPF Paragraph 148 requires that in considering any planning application, local planning authorities should ensure substantial weight is given to any harm to the Green Belt. The same paragraph adds that VSC's will not exist unless the potential harm to the Green Belt, and any other harm, is clearly outweighed by other considerations.
73. Paragraph 149 of the NPPF sets out a number of exceptions for the construction of new buildings in the Green Belt none of which apply to the proposed development.
74. Local Plan Policies DP10 and DP13 reflect the Green Belt provisions of the NPPF 2021.
75. In order to consider the acceptability of the proposal with regard to its impact on the Green Belt, it is necessary to refer to the following key questions:
1. *Whether the proposals constitute inappropriate development in the Green Belt;*
  2. *The effect of the proposals on the open nature of the Green Belt and the purposes of including land within it; and*
  3. *Whether the harm to the Green Belt is clearly outweighed by other considerations so as to amount to the VSC's necessary to justify inappropriate development.*
76. The application is accompanied by a Planning Statement dated July 2022. This sets out the Applicant's own assessment of the Green Belt impact as well as setting out its case for VSC's.

##### *Q1. Does the proposal constitute inappropriate development in the Green Belt*

77. Paragraph 134 of the NPPF 2021 states that the Government attaches great importance to Green Belts. 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 their permanence.

78. Paragraph 138 of the Framework sets out the five purposes of the Green Belt:
- a) to check the unrestricted sprawl of large built-up areas;
  - b) to prevent neighbouring towns merging into one another;
  - c) to assist in safeguarding the countryside from encroachment;
  - d) to preserve the setting and special character of historic towns; and
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
79. Pockets of development across the application site come within the definition of previously developed land in Annex 2 Glossary of the NPPF but even given this status the proposed development does not fall within an exception to Green Belt policy in paragraph 149(g) of the NPPF.
80. It is considered that the site actively serves at least three of the five purposes of the Green Belt (identified at NPPF para 138 a, c & e) and the site's inclusion within the Green Belt boundary is therefore considered to be strongly justified.
81. The function of this particular section of the Green Belt is important in protecting the surrounding countryside from encroachment as well as preserving the historic setting of the village of Lingfield. The proposals would result in a significant spatial and visual impact of new built development, albeit offset to some degree by removal of the redundant buildings on the site. Consequently, there would be harm to the purposes of including this land within the Green Belt and also to its openness.
82. Paragraph 147 of the NPPF 2021 makes clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
83. Paragraph 149 of the NPPF 2021 regards the construction of new buildings as inappropriate development within the Green Belt.
84. In such cases, the NPPF 2021 advises at paragraph 148 that "when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. VSC's 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 (paragraph 148). Following further considerations below the LPA will conclude its assessment with a review of the applicant's case for VSC's.

#### *Impact on Openness*

85. The extent of the existing built form is set out within the Site Description above. However, it is relevant to this section of the assessment to highlight that 42 existing buildings at the site would be demolished. These comprise single and two storey buildings including a mixture of buildings that are traditional and modern in appearance. These buildings are a mixture of flat roofed and pitched roof buildings that are deemed to be obsolete and outdated by the applicant. The buildings to be demolished are shown below:



Fig. 1. Buildings to be demolished highlighted orange.

86. The buildings to be demolished include:

- At the east of the site, a maintenance block and four family dwellings
- At the centre of the site, 11 bungalows, 4 semi-detached dwellings, an outbuilding and two large residences to the east of the site.
- At the northwest of the site, the House in the Wood residence (See fig 2), the Speech and Language Block (See fig 3), the Hostel (See fig 3), the Resource and Admin Block (See fig 4), various Young Epilepsy school workshops (See fig 4) and School buildings along the northern boundary (See fig 5)
- At the southwest of the site, the Chapel (fig 6) and 4 residential properties (fig 7).



Fig.2 The House in the Wood residence to the north of St Piers Lane



Fig 3 Speech and language block (right) and hostel (left)



Fig 4. Workshops and resource centre and admin to the north of St Piers Lane



Fig 5. One of the school buildings on the northern boundary



Fig 6. The chapel to the south of St Piers Lane



Fig 7. The residential properties to the south of St Piers Lane – 3 x two storey and 1 x bungalow

87. This proposal seeks to replace the demolished buildings as shown below:



Fig. 6. Buildings to be erected or extended coloured purple and blue.

88. At the east of the site, there would be an improvement to openness resulting from the demolition of buildings. This would be visible from the many public vantage points around the site. However, the new buildings to be erected to the west of the site as part of the Audley development would result in a large expanse of buildings which would impact on the openness of the green space within the expanse of this site. This would be visible particularly from views from the west of the site and particularly from vantage points along St Piers Lane.
89. The applicant's submissions provided calculations relating to existing and proposed building volumes. Although full survey drawings were not provided, the calculations were based on information collated with the use of a drone. The volume of the existing buildings across the whole site is 158,736 cubic metres with the demolished buildings (amounting to 48,813 cubic metres) used to offset some of the volume of the proposed development. The additional volume for the YE extensions would amount to 3,437 cubic metres and the additional volume for the residential care facilities would total 69,785. The total volume of buildings within the Audley site would therefore total 183,145 cubic metres if approved. This represents an increase in volume of 15%.
90. In the Planning Statement submitted as part of the application, it is set out that there would be an overall reduction in developed footprint of circa 3% and, as such, it is the position of the applicant that the proposal would not have a materially greater



impact on openness. However, it is considered that the volumetric increase demonstrates that the overall enlargement of built form at the site would cause the development to have a significant impact on openness. In this regard, the benefit of reducing footprint is undermined by the effect of erecting larger and more imposing buildings with a greater spatial impact on Green Belt openness.

91. The development would involve the erection of 6 buildings to the north of St Piers Lane and 8 buildings to the south. The proposed buildings would be much larger in scale and mass, with a mixture of 2 and 3 storey buildings replacing the single storey and two storey buildings that currently exist on the western part of the site. As a result of the intensification of the use of this western area of the site, in conjunction with their bulk and massing, it is considered that the proposed development would have a significant impact on openness. This would be exaggerated by the buildings being located further into the core of the site within what is currently a large area of open space adjacent to St Piers Lane, which is a highly visible area, and this increases the prominence of the built form of the development. As a result of the proposed Audley development, the impact of the bulk and massing would be greater on the western side of the site, this is because there would be a more compact cluster of buildings, of a uniform height in a highly visible location on a public bridleway/road. The green spaces that exist in this location currently make a positive contribution to the openness of the Green Belt. This is demonstrated on the aerial image and proposed plan that are shown below:



Fig 7 The existing site



Fig 8 The proposed site

#### *The purposes of the Green Belt*

92. In relation to the purposes of the Green Belt that are set out above, the development would be remote from all settlements and, as such, would not cause the unrestricted sprawl of a large built-up areas, would not lead to neighbouring towns merging into one another and would not affect the setting and special character of historic towns.
93. Part of the site, to the east is to be partially re-wilded which improves the openness as discussed above. However, the proposal would lead to some development within part of the countryside that does not currently feature built form and, as such, would encroach into the countryside. Officers have weighed up the benefits from the re-wilding of the east of the site, and the impact of the future development on the open countryside to the west and, on balance, there is considered to be moderate harm to Green Belt openness overall.

#### *Green Belt Summary and Very Special Circumstances*

94. For the reasons set out above, the proposal is deemed to constitute inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt.

Given the quantum of existing built development on the application site, the proposed development would have a moderate harmful effect on openness and would also be in conflict with the purposes of the Green Belt. The NPPF requires that substantial weight is afforded to each of these elements of harm.

95. For the development to be approved, it must be demonstrated that the harm identified above and elsewhere within this report is clearly outweighed by the benefits arising from other matters that are considered to represent VSC's for overriding Green Belt policy. An assessment in this regard will be made at the end of this report.

### Assessment of the Proposed Use and Housing Need

#### *Assessment of Use*

96. The proposed units are described as falling within Use Class C2 (Residential institutions). This Use Class includes residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.
97. In this instance, it is considered necessary to undertake an assessment of the use of the proposal having regard to guidance prepared by Surrey County Council who have prepared a Commissioning Statement (April 2019) which relates to accommodation with care, residential & nursing care for older people. This sets out several questions which are each responded to as set out below:

1. *Does the proposed scheme have facilities not normally associated with retirement or sheltered housing such as bar/ lounge, kitchen/dining room, laundry, crafts room, IT suite, shop, gym etc?*

Yes – it would include a bar, bistro, restaurant, library, owners lounge, gym, and a CQC registered care office, multifunction room, commercial kitchen, laundry, offices, hydrotherapy pool, steam room and sauna, spa reception, treatment room, salon, fitness studio, guest suites, and hobby room.

2. *Will 24-hour care services be available to all residents according to their needs?*

Yes – The amount of care provided depends on the needs of the individual resident: it could range from a regular 30-minute slot to assist with showering or preparing lunch, to 24-hour care, seven days a week. The aim is that, if necessary, care can be provided within a person's own accommodation at very high levels of need and dependency, including end of life care. However, as this Statement explains, the concept and provision of care, including day to day monitoring and regular contact, is pervasive throughout Audley's schemes and is not limited to the residents' personal accommodation.

3. *Can residents receive/ purchase care from an on-site, CQC registered home base (domiciliary) care team which operates in partnership with the future landlord?*

Domiciliary Care is available on-site at all of our schemes provided by Audley Care (or Mayfield Care) who are registered and regularly audited by the CQC. These services are made available to residents 24 hours a day.

4. *Does the scheme offer an opportunity for elderly owner-occupiers to purchase their own property in a scheme where an increasing level of care can be provided?*

Each house or apartment is sold on a long leasehold basis for a term of at least 125 years.

5. *Does the scheme anticipate a range of need levels on site, which could include support to people living with dementia?*

The Use Class and Operator Statement supplied by Audley sets out the following, 'Due to the range of care services that Audley can provide, we are able to commit to our residents, through their lease, that once they have moved in, they have the right to live in their property for the rest of their lives whatever their care needs might be. The only caveat is that should their mental health deteriorate to the level where they become a danger to themselves or others, they may be asked / required to move to more suitable accommodation in a community able to deal with their mental condition and provide secure accommodation.'

6. *Will the scheme help older people stay independent and remain active in old age?*

Yes – this appears to be the case. In addition to a hydrotherapy pool, there is also a fitness studio, with examples of the classes and activities available to residents include Yoga and Tai Chi, cinema nights, guest lectures, visits and day trips. Activities encouraged include, group exercise classes, art and music classes, games events, cultural excursions, shopping trips and gardening club.

7. *Can the developer evidence how residents may be able to avoid admission into residential care as their needs increase?*

It is understood that residents would no longer be accommodated in the development, if there was to be a 'deterioration in mental health' as set out in Audley's Use Class and Operator Statement. It is unclear if the site operator would have obligations for residents ongoing care when they leave the facility or if they would be reliant on the County's care system to take over resident's care provision.

8. *What is the average age on entry to existing schemes?*

The submitted Use Class and Operator Statement states "Although the minimum qualifying age for our residents is 60, the average age of our residents when they first come to live at one of our schemes is currently 77 years, and the average age of all residents is 79 (information valid as of November 2020). The average period that a resident will live at one of our Villages is seven and a half years."

9. *How much care per week was purchased during the first year of operation?*

Unknown.

10. *Whether the proposal constitutes C2 development*

The applicant has confirmed that that all residents would have a Care and Wellbeing Package which includes at least 2 hours of care services per week. Following consultation SCC Social Care has confirmed that 2 hours of care a week is acceptable to constitute residential care. The care is divided into 30-minute slots, so it wouldn't cover a daily need.

98. Overall, Officers are satisfied that the retirement and extra care element of the development proposal would be used for purposes falling within Use Class C2.

*Housing Need*

99. Policy CSP7 requires proposals to contain an appropriate mix of dwellings in accordance with current identified needs. The Council's evidence base includes a Strategic Housing Market Assessment (SHMA) 2015 and its 2018 update.
100. More specific to this application, Policy CSP7 states that the Council will encourage the provision of housing for the elderly and for people with special needs, where appropriate whilst avoiding an undue concentration in any location.
101. CS Policy CSP7 encourages the provision of housing for the elderly where appropriate while CS policy CSP8 directly engages with Extra Care Housing and sets out what should be considered. The Tandridge District Housing Strategy also recognises the need for sheltered accommodation for older people within the District, focusing on those in real need of support. Its strategic approach includes focusing and improving sheltered housing in five key areas including Lingfield/Dormansland. The Council's Annual Monitoring Report 2021-22 records that the SHMA prepared for the Local Plan 2033 identifies the need for 50 Extra Care units per annum since 2016 giving a total requirement to date (31 March 2022) of 312. The number of Extra Care Housing units provided over the period since 2016 was 16 indicating a significant unmet need for such housing and this represents a material consideration in favour of a grant of planning permission.
102. TDC's emerging Local Plan 2033 includes policy TLP14 (Specialist Need Housing and Extra Care). The provision of some extra care is enabled through site allocation in an area where there is a recognised need, as well as supporting the provision of additional units where they can be demonstrated to be appropriate. An important element contained in the Local Plan 2033 is the need for extra care to be sustainable by virtue of its location. However, given the stage currently reached in the examination of the Local Plan 2033 very limited weight can be afforded to its policies which may change.
103. Surrey County Council has published commissioning statements at district level to assist developers, care providers and local planning authorities on the strategic direction, minimal development expectations and future needs for extra care housing. The Commissioning Statement for Tandridge (April 2019 onwards) states that development proposals for extra care should demonstrate the level of accessibility to local facilities through a choice of accessible transport options and to be in a location that would not face any barriers to leaving the setting or returning to it (such as being located on a hill or other gradients which would present challenges to people who have difficulties walking or who use wheelchairs). The location of housing is a key consideration for older people and factors to consider

include proximity to good public transport, local amenities, health services and town centres. The setting should not only enable people to create a new community with their new neighbours on-site, but the setting should be sympathetic and supportive of people maintaining their links with the wider community.

104. The application site lies 850 metres to the east of the Larger Rural Settlement of Lingfield in the southeast of Tandridge District although officers note that the amenities would be a kilometre away if accessed by local roads. The site sits wholly within Green Belt land and is located outside of settlement areas. As such, in locational terms this site is relatively isolated and set within the countryside, well separated from the built-up area. However, notwithstanding this, there is an argument for the development based on housing need. This development proposal would result in the provision of 152 extra care units for the older residents with needs for supported living. This could potentially free up family housing for larger families requiring more space and this is a material consideration in support of the application.

#### Infrastructure

105. CS Policy CSP11 (Infrastructure and Services) sets out that appropriate levels of infrastructure and services will be sought. The Council's evidence base includes an Infrastructure Delivery Plan (2019) (IDP) that identifies the district's infrastructure requirements, the priority of infrastructure to be delivered and how it will be funded. This stance is echoed within TLP 2033 Policy TLP 04 (Infrastructure Delivery and Financial Contributions).
106. As set out in Planning Practice Guidance (PPG) (Planning Obligations), "planning obligations assist in mitigating the impact of development which benefits local communities and supports the provision of local infrastructure".
107. It is recognised that to secure infrastructure funding any request must meet the three tests set out under Reg 122 of the CIL Regs 2010 and as such must be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. Such contributions have been secured through the negotiation of a S106 Legal Agreement as referred to below., As such, the development proposals meet the objectives of Policy CSP11.
108. Officers highlight that C2 accommodation is not CIL liable.
109. The submitted Planning Statement discusses the pressures local healthcare providers are facing. It states, 'Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems.' The Planning Statement also sets out that the provision of specialist care accommodation brings with it the provision of in-house care and support which helps to take pressure off local health services. This is achieved because there is a lower incidence of in-home incidents, and the need to call on existing local services from GPs and other health practitioners. Audley's own experience within these retirement facilities is that the services provided and arranged on-site by Audley Care staff can help reduce pressure on local health services (including GPs) directly in the following ways:

- Arranging for the local pharmacy to attend site to administer flu jabs and vaccinations to residents.
  - Undertaking urine dip-tests – where normally this would require a visit to the GP practice.
  - Accompanying owners on video calls with their GPs, which avoids the need for a physical appointment.
  - Making telephone calls to GPs, on behalf of residents (with consent), to discuss medication, nutrition, concerns etc. which avoids the need for a physical appointment.
  - Preventative action (focussing on nutrition, physiotherapy, exercise) reduces need for reactive visits to GPs.
  - Audley care can take occupants to GPs – this facilitates access to a greater number of practices (within catchment) and increases choice.
  - Audley Care staff work with District Nurses and can facilitate appointments on site, and group appointments together for efficiency.
110. While these services were considered to go some way towards helping the residents to obtain medical care, concerns remain with regard to residents with greater health needs, such as those with long term health conditions who are likely to need to visit nurses, occupational therapists and other health professionals that sit outside of the scope of basic nursing care. However, the treatment provided is likely to comprise basic nursing care with a reliance on local public health services provided by NHS for specialist treatment or hospital care.
111. The Audley care package provides an opportunity for older people to live more independently in their own accommodation while having access to 24-hour on-site care and a range of shared communal facilities. The goal is to avoid the dependency or institutionalisation that can arise when there is always someone available to do tasks for an older person. The accommodation and all facilities are designed for people who may become very frail and/or have significant mobility needs. The aim is that, if necessary, care can be provided within a person's own accommodation at very high levels of need and dependency, including end of life care. However, as this Statement explains, the concept and provision of care, including day to day monitoring and regular contact, is pervasive throughout Audley's schemes and is not limited to the residents' personal accommodation.
112. Residents would pay a monthly management fee that covers the ongoing costs of running and maintaining the main buildings and landscaped grounds and the expense of any major works required, as well as building insurance. The monthly management fee would also include the cost of the Care and Wellbeing Package. Due to the range of care services that Audley can provide, they maintain that they are able to commit to the residents, through their lease, that once they have moved in they have the right to live in their property for the rest of their lives whatever their care needs might be. The only caveat is that should their mental health deteriorate to the level where they become a danger to themselves or others, they may be asked/required to move to more suitable accommodation in a community able to deal with their mental condition and provide secure accommodation.
113. Officers consulted NHS Surrey and received a response confirming that the development would put pressure on local NHS healthcare services, and the Integrated Care Board are concerned that the health proposals put forward by the applicant would not completely mitigate its impact on local healthcare services.

114. Following on from these concerns, NHS Surrey assessed the availability of Lingfield Surgery in terms of its capacity to serve the needs of the proposed development. They commented that the surgery would have no option (in today's position) but to accept more patients, and this could result in an unacceptable increase resulting from the additional clinical load created by the development. It could also result in the Practice needing to close their list to new Patients, if the surgery were not able to recruit a sustainable workforce and this would affect the whole population of Lingfield, not just these patients. So, in short, more NHS staff would be required.
115. There are no other surgeries within the locality that could provide future care, so an extension to the surgery would need to be considered, which could result in the reduction of onsite parking. However, patients and staff would have access to the local public car park a short distance away.
116. The application would be made more viable, however, if the practice was upgraded to provide more facilities. As such, the NHS estimate the costs involved to upgrade the practice (not including the cost of additional staff) would amount to £195,891. A financial contribution to upgrade the Lingfield surgery of this amount has been agreed by the applicants to be included in a Section 106. With respect to NHS healthcare provision, the application would therefore be acceptable and comply with CSP11 of the Tandridge District Core Strategy 2008.

#### Affordable Housing

117. The affordable housing provision will need to be set in the context of national and local planning guidance. Policy CSP4 of the Core Strategy states, the Council will require that a proportion of new dwellings built in the District will be affordable, to be available to people on lower incomes, unable to afford housing at the prevailing market price or who need to live within the District.
118. Chapter 5 of the NPPF 2021 requires local authorities to identify affordable housing need and set policies for meeting this need. Paragraph 57 states: "Where up-to-date policies have set out the contributions expected from development planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available."
119. The applicant is proposing a development of 152 units with communal facilities and consulting rooms as part of a proposed integrated retirement community. Where residential dwellings are capable of being independent dwellings, they can be regarded as dwellings even where that is an element of care provided. Policy CSP4 does not differentiate between Use Classes and therefore applies to this application.
120. The applicant has submitted a viability appraisal that supports their assertion that the scheme cannot viably support an onsite affordable housing contribution. This appraisal has been robustly tested by an independent viability consultant on behalf of the Council and has concluded that an off-site contribution could be sought. The applicant has offered a commuted sum of £500k in lieu of onsite affordable housing

which would be used to subsidise the Council's own house building programme. It is the Council's understanding that any higher commuted sum would render the scheme unviable which would in turn jeopardise the future of the charity.

121. The off-site contribution is considered to be a good offer that would make a notable contribution to affordable housing within the District. This is considered to exceed the Policy expectations of the Development Plan, and this is a material consideration in favour of the application. Therefore, the application would be acceptable in regard to affordable housing provision and complies with policy CSP4 of the Tandridge District Core Strategy.

#### Socio-Economic Matters

122. The NPPF 2021 states that sustainability includes both social and economic objectives and seeks to build a strong and competitive economy. It also states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. In this context, the financial element of the development and job creation and safeguarding is recognised as a benefit that should be afforded weight.
123. The economic benefits set out within the submitted Planning Statement suggest 119 on-site jobs would be created annually during three years of construction with 202 net additional on-site jobs during the operation of the scheme. A total of 397 equivalent full time on-site jobs would be retained on the YE estate.
124. The construction of the scheme will create social value through training, new skills, local procurement arrangements and the reduction of unemployment. The operational stage of the Proposed Development is also estimated to deliver social value and environmental benefits, principally through education and healthcare services provided by Audley Group and YE and also the permanent employment opportunities created.
125. Accordingly, the proposed development is considered to be both socially and economically sustainable and significant weight is given to this as a VSC for permitting the development.

#### Locational Sustainability

126. 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.
127. Policy CSP1 seeks to promote sustainable patterns of travel and make best use of previously developed land, by directing development towards the existing built-up areas of the District, our Category 1 settlements. Development appropriate to the needs of rural communities may be permitted in our Category 2 settlements. The



latter comprises those settlements defined as Larger Rural Settlements and those washed over by the Green Belt but that have a defined boundary.

128. The site is located in the southern part of the district about 850m to the southeast of the edge of the settlement boundary of Lingfield, the nearest rural settlement with a good range of services. Lingfield is categorised as a Larger Rural Settlement and a Category 2 Settlement. Within Tandridge District Council's (TDC) emerging Tandridge Local Plan (hereafter referred to as "Local Plan 2033") it is identified as a Semi-Rural Service Settlement, falling within Tier 2, which is identified as being able to demonstrate good levels of service provision and access to facilities (shops, primary education, community facilities and access to local health care). However, in spatial terms this site is isolated and set within the countryside, well separated from the built-up area.
129. The St Piers Estate covers a substantial area, containing a number of pockets of previously developed land which contain a number of buildings. Footpaths 381 (to the north of the estate boundary) and 389 (to the west of the boundary) link the site to the urban settlement of Lingfield. Nevertheless, the site is still isolated, relying heavily on the need for motor vehicles.
130. The spatial strategy, within the Local Plan 2023, directs development towards both TDC's Tier 1 and Tier 2 Settlements. As such the Council have proposed the allocation of land within or abutting Lingfield's settlement boundaries. As set out earlier, the site is located approximately 850 metres from the settlement boundary of Lingfield (not to the amenities within it) and for this reason, it would not be 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. Furthermore, it is not located within a reasonable walking distance from key services and facilities such as jobs, shops, health and leisure facilities. The nearest bus stops are approximately 500m to the southwest on Racecourse Road, however bus services are not very frequent during the week, with no services on Sundays, there is also no safe crossing point across Racecourse Road to access the bus stop. Lingfield Railway Station is located approximately 1 km to the southwest of the site via public footpath 381, however this footpath currently takes the form of an 'unmade' track and can only be used during drier months and only during daylight as there is no lighting and requires users to negotiate kissing gates and footbridges. Residents of the proposed residential use would therefore be 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.
131. However, in accordance with the NPPF it is acknowledged that there are three dimensions to sustainable development - economic, social and environmental. The merits of this application will need to be weighed against these factors and comprise the following;
  - *Social* – Specialist school/young adult care and training provision for people suffering from epilepsy and autism across south east England, elderly care (community facility), offsite affordable housing contribution.
  - *Economic* - Retention of 397 (full time equivalent) jobs at Young Epilepsy, creation of further temporary jobs in construction and 119 permanent jobs in the care facility.

- *Environmental* - Landscape improvements with the demolition of derelict buildings and reinstatement to open Green Belt and rewilding, biodiversity enhancements across the site and fabric first energy efficiency.
132. The Transport Assessment sets out that the proposed residential care facility has a C2 use (people in need of care) and therefore the needs of residents are not the same as a market housing development in terms of accessing jobs and schools. The applicant is proposing to provide some on site facilities such as a small shop, restaurant/bar, library, fitness studio, hairdresser, GP visits and will therefore cater for some day-to-day requirements. It is understood that the shop will be available for members of the public as well as those living and working on the site.
133. On balance, although the development is not wholly locationally sustainable, overall the balance of social, economic and environmental considerations are considered to outweigh any sustainability disbenefits and this is a material consideration in the determination of this application.

#### Highway Safety and Parking

134. 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.
135. CS Policy CSP1 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. CS Policy CSP12 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.
136. The application is supported by a Transport Assessment and a Transport Response Note. The proposal has been referred to the Surrey County Council Highways (CHA) team which has considered highways and transport issues. Key details of the response are referred to throughout the following assessment.

#### *Access and Layout*

137. The Transport Assessment indicates that vehicular access and egress would be maintained from St Piers Lane, and these would appear to be acceptable for vehicular movements. In addition, it is noted that cycle and refuse storage would be provided along the access roads for accessibility with regard to collections. The CHA team have requested a condition to alter the accesses and visibility splays in accordance with the information submitted as part of the planning application.
138. The comments set out that St. Piers Lane, a narrow rural lane which has limited street lighting, has no footways on either side for most of its length and is subject to a 40-mph speed limit, although this reduces to 20 mph where it passes through the Young Epilepsy campus. With this in mind, walking, cycling and the use of public

transport are not currently safe or practical means of travel to/from the site. For these reasons, officers consider the site location to be in an unsustainable location for a residential development, in terms of transport and accessibility.

139. However, if the District Council is minded to grant permission on the above application, the CHA would request that an appropriate agreement be secured before the grant of permission to secure a contribution of £12,300 (£6.150 per TP) for the monitoring of the Workplace Travel Plan and the Residential Care Community Framework Travel Plan as well as conditions to ensure highway safety on the site both during construction and once the buildings are occupied. The conditions would include a construction management plan, details of rubbish collection, setting out and retention of appropriate visibility splays and the provision of parking bays and cycle storage prior to the occupation of the site.

#### *Servicing*

140. The CHA team has considered servicing. It notes that all servicing deliveries and refuse collection) will take place within the site and swept path analysis has been provided demonstrating that a refuse and delivery vehicle can turn within the site and exit access points in a forward gear. Emergency vehicles can also access the site in forward gear and negotiate the internal access roads and exit the site in forward gear via all accesses. Therefore, the servicing arrangements are considered acceptable.
141. The refuse collection for such facility is undertaken by private companies. The plans currently show space for 7 x 1,100 litres refuse, 7 x 1,100 recycling waste. These are located to the north and south of St Piers Lane adjacent to the access roads to the rear of the buildings. These facilities are insufficient to service the development proposal. However, there is scope to provide further refuse facilities on the site, and this could be dealt with by condition.

#### *Highway Safety*

142. The speed limit for St Piers Lane as it traverses through the Young Epilepsy site is 20 mph. This speed is sufficient to retain highway safety in the event of a favourable decision although it is also noted that CHA have suggested a condition relating to the modification of vehicular accesses and visibility splays in accordance with the information provided.

#### *Parking provision*

143. It is proposed to provide 0.9 non-allocated spaces on site for residents, staff and visitors and this is considered sufficient by CHA. A condition could be imposed to ensure the parking is provided prior to the occupation of the site should the application be granted.

#### *Cycle parking provision*

144. The provision and storage of cycles appears to be acceptable, suitably secure and undercover. Officers consider that there is sufficient provision for cycle parking although details of its design would be required.

### *Construction phase*

145. In the event of a favourable decision, CHA has also requested a detailed Construction Transport Management Plan (CTMP) in order to ensure the safe access and egress of construction vehicles during the development.

### *Highway Safety and Parking Conclusion*

146. In summary, noting the specialist advice received from CHA, no objection is raised the proposal on the grounds of highway safety or parking provision.

### Character and Appearance

147. The NPPF states that the creation of high quality, beautiful and sustainable 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. It goes on to state that planning decisions should ensure that developments will function well, add to the overall quality of the area, be sympathetic to local character and history (whilst not discouraging innovation) and establish a strong sense of place. It also states that development that is not well designed should be refused.
148. 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.
149. 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.
150. Policy CSP21 of the Tandridge District Core Strategy 2008 advises that the character and distinctiveness of the District's landscapes and countryside will be protected for their own sake and that new development will be required to conserve and enhance landscape character.
151. Paragraph 40 of the National Design Guide stipulates that "well designed new development responds positively to the features of site itself and the surrounding context beyond the site boundary." Paragraph 49 also states that the "identity or character of a place comes from the way buildings, streets, spaces, landscape and infrastructure combine together and how people experience them. Furthermore, paragraph 51 advises that local identity is made up of typical characteristics such as the pattern of housing, and special feature that are distinct from their surroundings. Paragraph 52 articulates that this includes considering the composition of street scenes, individual buildings and their elements and the height, scale, massing and relationships between buildings.

### *Access and Layout*

152. The proposed development site area is located to the west of the existing complex, with St Piers Lane cutting through it in an east-west direction. Access to the development proposals would be off St Piers Lane to the north and south. Some of the access roads and hardstanding will be utilised from the existing development, but further hardstanding would also need to be created to accommodate vehicular traffic and parking requirements.
153. The focus of activity would be directed towards Block 'M' (situated to the north of St Piers Lane) which is a three-storey building housing a number of key functions to include the following:
  154. 2 x two bed flats, fitness studio, 2 x treatment rooms, swimming room, sauna, steam room, changing rooms, 3 x offices, staff room, plant, laundry, kitchen, chef's office, bar bistro, restaurant, private dining room. The two floors above comprise a further 16 x two bed apartments.
  155. To the west of Block 'M' is block 'A', another three-storey building containing 45 one- and two-bedroom units. To the south of St Piers Lanes are four further three storey buildings (Blocks B, D, E and F) each containing 18 two-bedroom apartments. Finally, scattered around the site on both sides of St Piers Lane would be 17 two storey semi-detached and terraced two bedroomed properties.
  156. At present the development site presents itself as a large open area which provides relief between the existing buildings previously in use as part of Young Epilepsy. It is acknowledged that the development proposal includes the demolition of 42 buildings across the entire school site.
  157. Vehicular access to the development proposal would be legible and easily accessible from St Piers Lane. The car parks would be reasonably proportioned, and the cycle parking would also be accessible.
  158. The original proposal was to infill the open area resulting in the loss of the open space on this part of the site. It would create a continuous ribbon of development along St Piers Lane, particularly to the south. This open green space has a width of 200 metres (along St Piers Lane) and a depth of 150 metres. Whilst it is acknowledged that the site is within the ownership of Young Epilepsy, and pockets within the site are considered previously developed land, such a large-scale intensification of use of this land within the Green Belt should be carefully considered in order to manage the character and appearance of development in this location and its visual impact on the surrounding countryside.

### *Massing, scale, form, and height*

159. The land within the site gently slopes downwards from north to south. The site is clearly viewed from the west along St Piers Lane, although it is acknowledged that there is some screening from mature landscaping on either side of the lane. Landscaping views provided as part of the submitted documentation for the application show that, at present, the buildings on the site of Young Epilepsy are largely obscured by trees around the western perimeter. However, the existing buildings currently range from single storey flat roofed structures to two storey buildings with steeply pitched roofs including dormers within them. Furthermore, it is noted that the existing buildings are densely positioned in close proximity to the trees along the north and south perimeters.

160. The development proposal comprises varied structures mainly comprising community and residential facilities. They would include 5 three storey buildings with pitched roofs with an overall height in excess of 14 metres, and 7 two storey buildings with pitched roofs with an overall height in excess of 9 metres. The development would also include other smaller buildings for plant and cycle/refuse storage as well as additional access roads and car parking areas. These buildings would be sited closer to St Piers Lane than the obsolete ones, and their siting, in addition to their increase in height and bulk, would result in an intensification of use of the site and subsequent loss of green space as well as a more prominent urbanising form due to its size, height, bulk, massing and siting along the rural lane.
161. The buildings of the greatest height (3 storeys) and scale (namely Blocks A, B, D, E, F and M) have been concentrated to the west of the Young Epilepsy site, with A and M to the north of the site. Blocks B to F have been situated largely to the south of St Piers Lane. A more modest block of open green space has been retained to the north of the Audley site adjacent to the Young Epilepsy site and further amenity space has been retained around the site (to the north and south of St Piers Lane) in more modest portions. The garden space appears to be communal throughout, although some private amenity space can be provided by the use of defensive planting. The applicant has relied on the trees and Ancient Woodland around the perimeter of the site to act as a screen from the surrounding open countryside and Green Belt, although it should be noted that as trees can be seen as transient, they should not solely be relied upon as a screen. Notwithstanding this, whilst the long-term retention of trees cannot be guaranteed, even when statutorily protected, it is noted that there is extensive tree coverage within the locality and as such it is likely that, even if some trees were required to be removed on health grounds, a substantial element of screening would remain in the long-term.
162. The trees surrounding the site do provide some level of screening in views from the west looking into the site onto the existing buildings. A large proportion of the proposed development would be three storeys in height with pitched roofs, although amended plans have reduced the bulk and massing of the buildings considerably in addition to reducing the overall height by 2 metres. This would lessen the prominence of the development proposal from public vantage points although there would still be some impact on the sensitive rural character of the locality and the openness of the Green Belt.
163. With regard to the massing, scale, form and height, the proposal would present as a dominant development although the breaks between buildings in terms of their height, scale, bulk and massing and volume help to reduce the harm resulting in the intensification of use in the context of the surrounding area.

#### *Young Epilepsy*

164. The majority of works for Young Epilepsy would comprise changes of use and revitalising of existing buildings. The only extensions resulting in an increase in bulk and massing relate to the increase in size of two wings of the further education collage to the east of the Grade II listed buildings, and would comprise the following:
165. Multi skills teaching space, Dining area, Workshop, 2 x stores, 3 x classrooms, 2 x quiet rooms, Time out room, Staff room, WCs.
166. The extensions would sit among existing buildings which would screen them to a degree from public vantage points. The extensions would be of a modest size and would be of contemporary design and single storey in height with lean to roofs. As

such they would be relatively unobtrusive and would relate well to the site as a whole.

#### *Landscape Setting*

167. The Landscape and Visual Impact Assessment supplied with the application documents sets out the importance of the Low Weald Farmland, within which the site lies. The Surrey Landscape Character Assessment 2015 sets out the following information:

*The characteristics of the locality gently undulating predominantly farmland with larger scale fields. There is a well-developed hedgerow network and mature trees which are often found within fields rather than within hedges. Isolated farmsteads can be found in this area, and sporadic groups of rural dwellings are scattered around the area. It is noted that there is an historic landscape pattern associated with farming and the grazing of animals. Long distance views are possible in the locality.*

#### *Past sensitive issues raised relating to this area*

- *In previous years there has been increased car and rail commuter activity*
- *There has been increased pressure on rural lanes from vehicular use*

#### *Future pressures raised relating to this area*

- *Pressure for increase in and around smaller settlements including re-development of farmsteads and agricultural buildings*
- *Increased traffic on rural roads leading to urbanisation through kerbing, lighting and signage*

#### *Landscape Strategy*

- *Conserve the peaceful unsettled character promoting traditional management of woodlands and hedgerows.*

#### *Built development*

- *Conserve unsettled landscape*
- *Conserve the pattern of the character of settlements, resisting spread and coalescence.*
- *Ensure new development respects existing rural characteristics and conserves distinctive open areas, greens and commons.*
- *Ensure new development respects local characteristics, through detailing use of local pattern and building materials*
- *New transport integrated into landscape*
- *New development should not impact on dark skies within sparsely settled areas*
- *Lighting to respect rural location and biodiversity.*
- *Appropriate materials surfacing and signage to be used.*

168. The site was originally identified as a farmstead comprising the three listed buildings centrally located in the site. It was developed as a school and the buildings have subsequently been increased in number through the years. The existing landscape that forms part of the Audley site includes a large open green space with a modest

children's play area to the north of St Piers Lane. The buildings (comprising single and two storey structures with flat and pitched roofs are largely located around the perimeter of the site to allow for a generous green space more centrally in the site. The bulk, massing and height of the existing buildings are screened somewhat by the proximity of the mature trees that are in close proximity of the built forms here.

169. The proposed development seeks to demolish some 42 buildings from all around the Young Epilepsy site. This would improve the openness of the countryside on the eastern side of the Young Epilepsy site. Notwithstanding this, the additional volume of buildings on the western side of the site would result in the loss of the openness of the countryside as they would be located closer to St Piers Lane resulting in the loss of the existing open green space.
170. Officers are of the view that the landscape vision would need to be conditioned in order to provide an appropriate amenity area that would sit well within the sensitive Green Belt location. It is considered that the proposal has the potential to provide a landscape led scheme that would prioritise the openness of the Green Belt and would therefore comply with the local Plan policies.

#### *Architecture*

171. The existing buildings on the site are varied in age, style and materials. The proposed development is modern in style. Architecturally the materials for the buildings are acceptable. However, there is concern relating to the design of the new two storey buildings and in particular the tile hanging on them. Tile hanging was originally constructed from the top of the first floor to the top of the head of the ground floor windows on the two storey dwellings, and the materials would be more appropriate if they followed this traditional form. Tiles should be in keeping with the Surrey vernacular style. The palette of materials includes clay tile and red brick with varying tones which is reflective of local vernacular. The contrasting modern and robust materials such as the black standing seam roof are supported. Officers note that attention has been paid to include window reveals and detailing which allows for some shadow which is positive, although this does not overcome the concerns about the wider size, bulk and massing issues identified earlier.

#### *Overall Assessment*

172. Overall, it is considered that the proposed development would make a positive contribution to the open rural character due to its siting, design, height, bulk. For the above reasons, the proposal would be in accordance with Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies and Policy CSP18 of the Core Strategy.

#### Impact on Heritage Assets

173. Sections 16 and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) place a general duty on the Council with respect to listed buildings in exercising its planning functions. This states that "In considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses." Chapter 16 of the NPPF 2021 focuses on the topic of conserving and enhancing the historic environment. Paragraph 193 states that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great



weight should be given to the asset's conservation. The more important the asset, the greater the weight should be'. It is necessary to assess the potential harm of the proposal. With regard to harm paragraph 134 of the NPPF 2021 states: 'As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.'

174. With regard to heritage assets, Local Plan Part 2: Detailed Policies Policy DP20 indicates that there will be a presumption in favour of development proposals which seek to protect, preserve and wherever possible enhance the historic interest, cultural value, architectural character, visual appearance and setting of the District's heritage assets and historic environment. However, this is only where the public benefits of a proposal significantly outweigh the harm to, or loss of a designated heritage asset or its setting, will exceptionally planning consent be granted. Where a proposal is likely to result in substantial harm to, or loss of, a designated heritage asset of the highest significance, granting of permission or consent will be wholly exceptional. In order for the LPA to support planning proposals works should be sympathetic to heritage assets and their setting ensuring quality design and layout and materials.
175. Paragraph 199 of the NPPF 2021 sets out that great weight should be given to the asset's conservation when considering the impact of the development proposal on the significance of a designated heritage asset. Furthermore, paragraph 202 discusses the need to weigh the potential harm of a listed building against the public benefits of the proposal including, where appropriate, its optimum viable use when it is considered that it would lead to less than substantial harm to the significance of a designated heritage asset.
176. There are three Grade II listed buildings on the site as described in detail in paragraph 11 to 13 above.
177. The applicant has provided two heritage statements, one for the site as a whole and another for the listed buildings affected by the scheme.
178. St Piers was originally a farmstead on the edge of common land and the most important remaining historic buildings from this are the three Grade II listed farmstead buildings. The oldest is the former farmhouse (listed as Lingfield Hospital School). It was originally constructed in the mid-16th century, although the eastern end of the building was rebuilt as a cross wing in the early 17th century and an in-line bay was also added at the west end at the end of the 17th century.
179. The barn is listed as eighteenth century and the granary is late eighteenth century. Both structures are timber framed. Historically, the granary would have had a cart shed underneath with the first floor used to store grain. Internally the original partition survives between the two cart shed bays as do all the original floor joists. The ground floor height is important in understanding the function of the granary and, because of this, it is considered an important survival of the farmstead.
180. The significance of the buildings is assessed as a former farmstead which developed on the edge of common land from the 16th to 18th centuries and later formed part of the school site. Key aspects include the use of materials, plan form, scale and surviving historic fabric.
181. The immediate setting of the building around a yard contributes to understanding their historic interest as former farmstead buildings although the existing car park detracts from this. The approach to the buildings along St Piers Lane also

contributes to their setting as the road widens and the view opens up once the site of the former common land is reached.

182. In addition to the farmstead buildings themselves, the site forms part of the wider 'Lingfield Colony' site which later developed into a school for children with epilepsy. A number of the buildings proposed for demolition are those which formed an early part of the site and form part of its historic interest. The heritage statement argues that as they do not meet the very limited criteria set out on the Buildings of Character List (2013) they should not be considered non-designated heritage assets. Officers consider this is an acceptable standpoint.
183. Officers consider that the School Buildings, Administrative Block Buildings, Cory, The Chapel and Garden and Tinling Cottages all have clear architectural interest in their form and elevational appearance, and they all have some historic interest forming part of the Lingfield Colony site. With this in mind the buildings would be sufficient to meet the requirements set out on the Buildings of Character list, although their significance would be only of low value due to their degree of alteration. Furthermore, Officers consider that 1 and 2 Farm Cottages should be considered worthy of inclusion on the basis of their good quality brickwork and history as part of the farm site and it is noted that the writer of the previous assessment suggested they should be retained. For this reason, 1 and 2 Farm Cottages are considered non-designated heritage assets under paragraph 203 of the NPPF 2021.
184. This scheme proposes the demolition of a number of non-designated heritage assets. However, the loss of these buildings needs to be weighed against the public benefit to retain the YE school as well as the continued use of the statutory listed buildings.
185. Overall, officers consider that as the non-designated heritage assets are only of low significance, their loss would be outweighed by the benefits of scheme in line with paragraph 203 of the NPPF 2021. Furthermore, although the loss of 1 and 2 Farm Cottages would be unfortunate as they are of reasonably good architectural character, their demolition would not constitute sufficient grounds to refuse the application in itself. Therefore, in line with paragraph 205 of the NPPF 2021, these buildings should be recorded and a suitable condition to cover this should be added to the decision notice in the event of a favourable decision.
186. In addition to weighing the balance of the demolition of the buildings on the site, the development proposal would include a several new benefits including the following:
  - Repairs to the Granary, link building and floor plan changes
  - Loss of the maintenance building
  - Loss of hard standing surrounding the listed buildings
  - Re-design of the car park to site it further away from the listed buildings
  - Provision of a comprehensive landscaping scheme that would substantially improve the setting to the listed buildings
187. There is a maintenance building to the west of the listed buildings, finished in unsympathetic materials and separated from the heritage buildings by a large, tarmacked area and car park. Officers consider that the demolition of this building and its replacement with the proposed landscaping scheme would result in a public benefit to the heritage assets by enhancing their setting. This part of the scheme is well thought out in general however, the stainless-steel bollards shown as part of it

would be considered an alien form out of character with the traditional buildings. However, details of the landscaping can be submitted as part of a condition in the event of a favourable decision.

188. Officers are of the view that the alterations would result in an improvement in the cluster of heritage buildings on the site creating a more traditional backdrop in which to view the buildings without the clutter of modern vehicles on a tarmacked hardstanding.
189. The alterations to the link building in addition to the proposed new openings would be an improvement on the existing structure. Details of materials have also been applied and, as such, no further conditions will be required on this count. Furthermore, the floor plan changes to this building would not result in any harm to the listed buildings.
190. The proposals for the granary are low key due to the difficulty of finding a new use for the building without fundamentally changing its character. At present, the extent of repairs to the structure are unknown because the first floor is inaccessible due to the staircase. In the event of a favourable decision, a condition would be required to ensure the extent of repairs is agreed in writing with the Local Planning Authority to ensure they do not harm the special interest of the listed building.
191. Taking the above listed building works into consideration, the new build aspect of the full scheme would largely be concentrated to the west of the site. The listed buildings are located more centrally on the site and, as such, would be located a significant distance from the proposed residential extra care facility.
192. In summary, officers have assessed the proposal in accordance with paragraphs 195, 199 and 203 of the NPPF 2021. It is considered that there will be a low level of harm from the loss of undesignated heritage assets under paragraph 203 of the NPPF 2021. Any heritage harm of the proposed development would be outweighed by the benefits to the setting of the Grade II Lingfield Hospital School, Barn and Granary and, for this reason, there would be no historic built environment reasons to refuse the application.
193. Officers are of the opinion that the potential loss of the YE school and the loss of the non-designated heritage assets would result in a negative impact with regard to the planning balance. However, the alterations relating to the loss of tarmac hardstanding, the incorporation of natural landscaping would result in an improvement in the cluster of heritage buildings on the site, creating a more traditional backdrop in which to view the buildings without the clutter of modern vehicles on an unsympathetic modern surface. The repairs to the listed buildings would also result in a positive impact.
194. Overall, it is considered that the application demonstrates less than substantial harm to the significance of designated heritage assets. There is a public benefit arising from funding to conserve the designated heritage assets and retain them in an optimum viable use which is a material planning consideration weighing in favour of a grant of planning permission and Listed Building Consent. Officers recommend that Listed Building Consent should be granted subject to conditions relating to the recording of 1 and 2 Farm Cottages prior to their demolition and details relating to the extent of repairs to the Granary.

### Archaeology

195. In line with the requirements of the NPPF paragraph 194, and Local Plan Part 2: Detailed Policies Policy DP20, for developments above 0.4ha, the applicant has considered the archaeological implications of the proposed development and has submitted an Archaeological Desk-Based Assessment dated June 2022, as produced by their archaeological consultants Savills.
196. The Assessment considers the proposed development site to have a generally low archaeological potential for all periods, however, little archaeological investigation has taken place within this large site by which the potential might be better understood. Recent archaeological work at sites on similar Wealden Clay geology have produced previously unexpected results for settlement and activity from the Iron Age, Roman and medieval periods. For this reason, it is considered that the potential of the site may be higher than assessed and remains to be proven.
197. In order to clarify the presence or absence of any Heritage Assets of archaeological significance, further archaeological work is required here, comprising the excavation of a number of trial trenches within the site.
198. In terms of Young Epilepsy, the three proposed car park areas that adjoin the south side of St Piers Lane should be targeted.
199. However, evaluation within the Audley phases should target all areas of the proposed development that lay outside the footprint of the existing buildings. The evaluation should target but not necessarily be limited to, the new buildings, car parks, access roads, attenuation and landscaping.
200. The number of buildings that are to be demolished within this phase and the associated potential impacts that presents to any Heritage Assets of archaeological significance that may be present from construction traffic and demolition groundworks, dictates that the evaluation should be carried out prior to any demolition taking place.
201. The NPPF 2021 and development plan policy encourage pre-commencement conditions in this case as they provide the opportunity to identify archaeological assets at an early stage. In the event of a find of national significance there then exists the opportunity to influence the design and logistics of the development to allow their preservation in situ. Pre-determination evaluation will help to provide the applicant with a clearer understanding of the potential costs and programme implications should further mitigation measures be required. It would also help to prevent the accidental destruction of any artefacts.
202. The pre-commencement condition shall secure the implementation of a programme of archaeological work to be conducted in accordance with a written scheme of investigation.

### Residential Amenity

203. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect. Criteria 6-9 of Policy DP7 of the Local Plan Part 2: Detailed Policies seek also to

safeguard amenity, including minimum privacy distances that will be applied to new development proposals.

204. The above policies reflect the guidance at paragraph 130 of the NPPF 2021, which seeks amongst other things to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users of development.
205. Given the separation of the site from adjoining residential buildings it is not considered that there would be an undue harmful impact with respect to daylight, sunlight, privacy or outlook.
206. Noise and disturbance are also a material consideration and officers have also consulted TDC's Environmental Health Team. Since there are no objections to the development proposal it is seen to be acceptable in this regard.

#### Flood Risk

207. One of the twelve land-use planning principles contained in the NPPF 2021 and to underpin plan-making and decision-taking relates to taking full account of flood risk. Paragraph 159 of the NPPF advises that; 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere'.
208. Policy DP21 of the Tandridge District Local Plan Part 2: Detailed Policies advises that proposals should seek to secure opportunities to reduce both the cause and impact of flooding. Development proposals within Flood Risk Zones 2 and 3 or on sites of 1 hectare or greater in zone 1 will only be permitted where, inter alia, the sequential test and, where appropriate, exception tests of the NPPF 2021 have been applied and passed and that it is demonstrated through a Flood Risk Assessment (FRA) that the proposal would, where practicable, reduce flood risk both to and from the development or at least be risk neutral. The impact of climate change on the global environment is recognised and flooding from surface water runoff is one of the main consequences. The planning system is expected to play a critical role in combating the effects of climate change by pursuing sustainable development and use of Sustainable Urban Drainage Systems.
209. The application is accompanied by a Drainage Strategy (referenced T212432DR001 received on 31.08.2022 and dated 18.07.2022) and a Flood Risk Report (referenced T21 2432 FRA 1.2) received on 29.09.2022 and dated 30.05.2022). Both reports were prepared by Tier Consult Ltd.
210. The Lead Local Flood Authority (LLFA) has reviewed the submitted Drainage Strategy and FRA. The LLFA was not satisfied that the proposed drainage scheme met the necessary requirements with regard to surface water drainage however, they requested a suitably worded pre-commencement condition for the submission of drainage details which must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS.
211. It is noted that the Environment Agency was also consulted regarding the application although no comments were received.

## Trees

212. Policy CSP18 of the Core Strategy required that development must have regard to the topography of the site, important trees and groups of trees and other important features that need to be retained. Criterion 13 of the Local Plan Part 2: Detailed Policies Policy DP7 required that where trees are present on a proposed development site, a landscaping scheme should be submitted alongside the planning application which makes the provision for retention of existing trees that are important by virtue of their significance within the local landscape.
213. 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 building is given the same level of consideration from the outset as the design of building themselves'. Trees are not only a landscape environmental benefit but, as the SPD outlines, a health benefit for people which enhances their environment.
214. TDC's Principal Tree Officer has reviewed the proposal and has the following comments:
215. The application requires the removal of 83 individual trees, 12 tree groups (which inevitably contain a many more trees) 18 shrub groups and 9 sections of hedge. This is out of total of 625 arboricultural elements, which contain many individual specimens together with other groups and woodland areas, which themselves contain a large number of trees.
216. He notes that all BS5837 category 'A' trees are to be retained. Tree removals include 11 'B' category, with the remaining trees to be removed being either the lower value 'C' category, or the very low value 'U' category. However, as compensation for those trees being removed it is proposed to plant 102 trees, 11 specimen shrubs and 872 m of native hedgerow. There are also many other biodiversity enhancements proposed which will be discussed within the ecology section of the report.
217. Overall, it would appear that a considerable amount of effort has gone into designing a layout that retains as many high and moderate quality trees as is reasonably possible, and that the retained trees have been given due consideration in terms of their sustainable retention and protection during demolition and construction. Furthermore, the degree of compensatory planting and biodiversity enhancements is a positive measure.
218. Finally, the ancient nearby woodland has also been provided with a buffer of 15m, which is sufficient in the context of this site. The large majority of the trees of landscape significance are to be retained.
219. Officers are of the opinion that, in terms of the arboricultural impact of the development proposal, providing conditions are added to ensure the protection of the trees along with other measures, there would be no undue harm in this regard as the proposal would comply with Local Plan Part 2: Detailed Policies Policy DP7 and Core Strategy Policy CSP18.

## Biodiversity

220. Section 15 (paragraphs 174 - 188) of the NPPF 2021 speaks of the need to conserve and enhance the natural and local environment. Developments that conserve or

enhance biodiversity should be supported. Development proposals are required to minimise impacts on and providing net gains for biodiversity.

221. CS Policy CSP17 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.
222. Local Plan Part 2: Detailed Policies Policy DP19 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.
223. The current site contains open green space with mature trees and ancient woodland to the north and south of the development proposal.
224. With regard to biodiversity and ecology impacts, Surrey Wildlife Trust (SWT) were consulted. Following their assessment of biodiversity gain and protected species.
225. SWT advised that re-commencement conditions will be required so that details of the ancient woodland mitigation strategy, a badger walkover survey and mitigation strategy if required, a landscape and ecological management plan (LEMP), a construction environmental management plan (CEMP) and lighting details can all be approved prior to development commencing. SWT have also recommended other planning conditions relating to aspects of biodiversity that are included in the planning conditions set out in Appendix 1 to this report.
226. Overall, this application is considered acceptable subject to the conditions outlined above and, for this reason is considered policy compliant in this regard.

#### Renewable Energy and Energy Efficiency

227. Policy CSP14 requires the reduction of carbon dioxide (CO<sub>2</sub>) emissions by means of on-site renewable energy technology. For schemes of more than ten dwellings a 20% saving in CO<sub>2</sub>. Development over 5000m<sup>2</sup> is expected to incorporate combined heat and power or similar technology. In addition, no-residential development should achieve a BREEAM 'Very Good' rating.
228. The YE development is for modest refurbishment and a small amount of new build. For this reason, the Planning Statement sets out that it would not be either reasonable or proportionate to pursue the BREEAM rating. However, a range of measures will be implemented to ensure the development is as sustainable as possible.
229. Similarly, these measures will also be carried out on the Audley development proposal, and these include the following:
  - All rooms in new extensions will be lit by natural daylight and glare will be controlled by roof overhangs and blinds
  - New extensions will be constructed using fabric first approach and high levels of fabric insulation to keep operational use energy to a minimum.
  - Existing buildings will be re-used whenever possible.
  - A central E bike facility will be provided.

- Cycle storage facilities will be provided around the site with staff showers appropriately located.
  - Drainage will ensure that the post-development run-off will not exceed the pre-development run-off.
  - External lighting will be timeclock controlled.
  - Water use will be minimised with efficient fixtures and fittings in all refurbishment and new build projects.
  - Resilient & optimised energy strategy including renewables generation on-site (e.g., PV panels), smart metering, district energy network for new build.
  - Buildings that 'age well'. Materials that age and weather well. New accommodation that can be adapted and adjusted for future needs.
  - Sustainable transport initiatives
  - Air quality: measures to maximise local air quality and minimise pollution.
230. In the event that the application is granted, a condition will be attached to ensure that the development proposal complies with the sustainability requirements as set out in policy CSP14 of the Tandridge District Core Strategy.

#### Very Special Circumstances

231. As discussed above, it is considered that the proposal would comprise inappropriate development within the Green Belt which would have a greater impact on openness than existing development on the site. It has also been found that the proposed development would have a harmful impact on the character and appearance of the site and surrounding area, albeit causing only moderate harm. In such circumstances, and in accordance with paragraph 147 of the NPPF 2021, inappropriate development is, by definition, considered harmful to the Green Belt and should not be approved except in very special circumstances.
232. Paragraph 148 of the NPPF 2021 goes on to state that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very Special Circumstances' (VSC's) to justify overriding Green Belt policy 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.
233. The Planning Policy Statement (PPS) submitted with the planning application and prepared by QED sets out 11 points which make the Applicants' case to demonstrate VSC's. Overall, the PPS indicates that the following VSC's, will collectively support the three strands (economic, social and environmental) of sustainable development set out in the NPPF.
234. Officers have carefully reviewed the VSC's put forward on the applicants' behalf and set out their conclusions below. VSC's suggested by the applicants and officer assessment:

#### 1. Securing the long-term future of YE;

The future of Young Epilepsy is currently hanging in the balance. A lack of funding has resulted in many of the buildings falling into disrepair and maintenance has been reduced to essential needs only. In addition, many buildings are dated and some are no longer fit for purpose.



The development proposal includes the one-off injection of £6.7 million to carry out essential renovations in order to bring the school/college up to the required standard and encourage future students to the site. This would secure the level of income required to ensure sustainability: Principally the provision of additional classrooms and other facilities within the proposed extensions to the college will provide an additional capacity for ten college students, delivering more much needed placements for young people along with an associated increase in income.

The proposals would facilitate an affordable maintenance programme: The masterplan will reduce maintenance costs in the long term and support the generation of sufficient income to deliver a £8.8M maintenance programme between 2025-2028 which would address both the current backlog and planned maintenance required to bring all operational buildings up to Department of Education Condition Grade B: 'Performing as intended but exhibiting minor deterioration'.

Overheads would be significantly reduced, which is necessary both to meet maintenance liabilities and to be able to set value for money fees, to ensure that Young Epilepsy can continue to secure sufficient placements to generate income. Overheads would be reduced through:

- The consolidation of operations into fewer buildings
- Investment in priority maintenance
- Demolishing buildings, which are derelict, beyond economic repair, have reached the end of their design life and have no viable use. These buildings carry costs, including insurance, Health & Safety, security and council tax-costs.

The development would ensure the space and condition of buildings meet quality standards: Not only does Young Epilepsy have a responsibility to ensure that their facilities meet the quality standards set by the Department of Education, which will give them the best chance of meeting their potential and assure their health and well-being, the quality of YE's facilities is a key deciding factor for children, young people, their parents and commissioners.

The negative impact of 40 buildings, which are derelict, beyond economic repair or beyond their design lifespan would be addressed: The visual impact of the 40 empty buildings across the estate, has a negative impact for students, staff and visitors. In addition, the apparent neglect attracts trespass and vandalism, which carries a cost, as well as health and safety risks.

Officers accept that ensuring the continuity of the work of Young Epilepsy and the very specialised care it provides for vulnerable children and young adults is a public benefit of these development proposals and carries substantial weight as a VSC when weighing up the planning balance of the development proposal.

## 2. Socio-economic benefits accruing from the development:

The economic benefits set out within the submitted PPS suggest 119 on-site jobs would be created annually during three years of construction with 202 net additional on-site jobs during the operation of the scheme. A total of 397 equivalent full time on-site jobs would be secured on the YE estate.

The construction of the scheme will create social value through training, new skills, local procurement arrangements and the reduction of unemployment. The operational stage of the proposed development is also estimated to deliver social value and environmental benefits, principally through education and healthcare services provided by Audley Group and YE and also the permanent employment opportunities created.

Officers' assessment is that as YE is one of the largest employers in the area of Lingfield, this Very Special Circumstance of maintaining the local employment YE provides would carry significant weight as a VSC when weighing up the planning balance of the development proposal. The additional employment to be provided by the Audley extra care development comes at the cost of additional built development in the Green Belt and is afforded only moderate weight.

3. Re-use of previously developed land within the Green Belt:

The refurbishment and extension projects are to be constructed on previously developed land, enhancing the sustainability of the overall development.

However, the development as a whole is not one of the exceptions to Green Belt policy as set out in paragraph 149 of the NPPF 2021 and therefore would not qualify as a VSC in officers' opinion.

4. Improvements to the openness of the Green Belt and reduction of built footprint across the site:

It is acknowledged that the eastern part of the Young Epilepsy site will benefit from the demolition of some of the derelict buildings and the improvement to the openness of the Green Belt. In addition, the consolidation of the Young Epilepsy buildings with updated buildings would be a benefit for the school. However, overall there would be an intensification of the use of the site. The siting, height, bulk and massing of the proposed new buildings would result in larger buildings than those being demolished, in a more prominent position in the Green Belt.

The point has also been raised that new buildings for the school were granted planning permission in the 1990's on the proviso that some of the existing buildings were demolished. However, a condition ensuring that the demolition took place was not added to the decision notice and, therefore, cannot be taken into consideration. The development was not implemented.

Officers do not consider this is a VSC to be weighed in the planning balance.

5. Contribution to the supply and delivery of housing in Tandridge District which can only demonstrate a 1.71 years housing land supply:

The 152 dwellings to be provided within the Audley part of the proposed development would potentially supply some benefit if local homeowners downsized to this development, thereby freeing up under-occupied family homes. The financial contribution of £500,000 that would be provided for off-site affordable housing would widen the supply of this type of housing with the District.

The Council's Interim Policy Statement for Housing Delivery (IPSHD) of September 2022 makes specific provision for housing development proposals that:

*"Constitute enabling development (for charitable development or heritage asset conservation purposes)".*

In this context enabling development is defined in Appendix B of the IPSHD:

*"Enabling development means allowing development to take place that would not normally be granted permission because it is contrary to development plan (and possibly national planning) policy but which enables the delivery of a development which provides exceptional and significant public benefit."*

These development proposals would come within the definition of enabling development and would therefore be policy compliant, albeit that the IPSHD is not part of the development plan but a policy adopted by the District Council and thereby only a material consideration in the determination of this application.

Officers' assessment is that this VSC would carry moderate weight when weighing up the planning balance of the development proposal.

6. Contribution to meeting the critical need for specialist accommodation for older people nationally, and locally;

The 'Needs' paper sets out that a monthly management fee would cover the ongoing costs of running and maintaining the main buildings and landscaped grounds and the expense of any major works required, as well as building insurance. The monthly management fee would also include the cost of the Care and Wellbeing Package. Due to the range of care services that Audley can provide, they maintain that they are able to commit to the residents, through their lease, that once they have moved in they have the right to live in their property for the rest of their lives whatever their care needs might be. The only caveat is that should their mental health deteriorate to the level where they become a danger to themselves or others, they may be asked/required to move to more suitable accommodation in a community able to deal with their mental condition and provide secure accommodation.

The assessment package would require future residents to need at least two hours of assistance a week in order to be eligible to buy a unit.

Finally, a payment of £195,681 would be provided in order to contribute to the extension at Lingfield Surgery to mitigate the impact the extra care development would have on the surgery.

The provision of 152 extra care dwellings would make a significant contribution to meeting the identified need in Tandridge District for this type of dwelling which is not currently being met.

Officers consider that this VSC would carry moderate weight when weighing up the planning balance of the development proposal.

7. A highly sustainable development incorporating multiple renewable energy technologies, and exceeding BREEAM Very Good standard;

The following measures will be carried out on the development proposal and include the following:

- All rooms in new extensions will be lit by natural daylight and glare will be controlled by roof overhangs and blinds
- New extensions will be constructed using fabric first approach and high levels of fabric insulation to keep operational use energy to a minimum.
- Existing buildings will be re-used whenever possible.
- A central E bike facility will be provided.
- Cycle storage facilities will be provided around the site with staff showers appropriately located.
- Drainage will ensure that the post-development run-off will not exceed the pre-development run-off.
- External lighting will be timeclock controlled.
- Water use will be minimised with efficient fixtures and fittings in all refurbishment and new build projects.
- Resilient & optimised energy strategy including renewables generation on-site (e.g., PV panels), smart metering, district energy network for new build.
- Buildings that 'age well'. Materials that age and weather well. New accommodation that can be adapted and adjusted for future needs.
- Sustainable transport initiatives
- Air quality: measures to maximise local air quality and minimise pollution.

However, it is the choice of the applicant to exceed current Building Regulation standards.

Officers consider that this Very Special Circumstance would carry only limited weight when weighing up the planning balance of the development proposal.

8. Refurbishment of Listed Buildings and an enhancement to their setting;

Three Grade II listed buildings will be repaired and enhanced as part of this development. Their re-use will help their upkeep and provide a public benefit in terms of their conservation. It is acknowledged that some dwellings are being demolished which are considered to be a non-designated heritage asset. However, in the interests of the development proposals as a whole, officers consider that their demolition needs to be accepted.

This Very Special Circumstance would carry significant weight when weighing up the planning balance of the development proposal due to the importance of conserving heritage assets and the public benefit from so doing.

9. Enhancement of existing ecological habitats on the site including securing a net gain in biodiversity and a net gain of trees around the site.

All developments are now expected to provide a net gain to biodiversity as part of mitigation for local biodiversity. The ecology report prepared by the Ecology Partnership sets out that the existing site makes a limited contribution to ecology. Where the presence of protected species has been identified (e.g., bats) suitable mitigation is recommended. Furthermore, the site provides a significant opportunity to enhance biodiversity to the east of the site particularly

around where the YE buildings are to be demolished. Overall, the proposals will result in a 35 % increase in habitat units; and a 66% increase in hedgerow units in biodiversity.

Other biodiversity enhancements relating to restoring Ancient Woodland to the north of the site are set out under 10 below but should be included here.

Considered as a VSC, officers consider that net gain to biodiversity would carry moderate weight when weighing up the planning balance of the development proposal.

#### 10. Contribution to a reduction in pressure on local NHS and healthcare services

Officers do not consider that the development proposal would contribute to a reduction in pressure on the NHS. Rather, there would be more pressure in the immediate locality as a more vulnerable part of the community who would be more likely to need medical attention would be situated in one densely populated area. Notwithstanding this, contributions by Audley of £195,982 towards mitigating the impact of their development on Lingfield Surgery would be secured via a Section 106 agreement. This would improve NHS services for the community as a whole. However, officers do not consider this is a VSC for allowing development in the Green Belt.

#### 11. Restoring a part of the Ancient Woodland to the north

It is acknowledged that this is a benefit as part of the development proposal. This element benefits ecology which has already been assessed under 8 above. That VSC was given moderate weight and, as such, no weight will be given to it separately.

#### *Conclusions on VSC:*

235. In summary, officers conclude that the following VSC identified by the applicants in their PPS, or otherwise identified separately in this report, need to be given the weight attributed to them below in determining the planning balance for this planning application:
- Securing the long-term future of YE – substantial weight
  - Socio-economic benefits accruing from the development – significant weight
  - Refurbishment of Listed Buildings and an enhancement to their setting – significant weight
  - Contribution to the supply and delivery of housing in Tandridge District – moderate weight
  - Contribution to meeting the critical need for specialist accommodation for older people nationally, and locally – moderate weight
  - Enhancement of existing ecological habitats on the site including securing a net gain in biodiversity and a net gain of trees around the site and restoration of Ancient Woodland – moderate weight
  - A highly sustainable development incorporating multiple renewable energy technologies, and exceeding BREEAM Very Good standard – limited weight

## Section 106 Agreement

236. The applicants have in discussion with officers of the Council put forward Heads of Terms for a Section 106 agreement which, together with the VSC for overriding Green Belt policy and suggested planning conditions, are considered to acceptably address both planning policy considerations and issues such as sustainability and mitigation of impacts on local health services. The Heads of Terms which are set out below itemise all our agreed contribution sums and are put forward on the basis that there is no requirement for a Community Infrastructure Levy (CIL) contribution:
- Healthcare contribution - £195,892 (as requested by Surrey Heartlands NHS).
  - Audley enhanced minibus service to replicate the demand response service (as requested by Surrey Council) and agreed to run in perpetuity from first occupation.
  - Travel Plan monitoring fee of £12,000 (as requested by Surrey County Council).
  - A voluntary affordable housing contribution of £500,000 (as requested by Tandridge housing officers) and offered on the basis that there is no future review mechanism.
  - Legal and monitoring fees – Figure to be provided by Tandridge and agreed by the applicant.
  - Provision of car club space on first occupation.
  - To restrict occupation of a unit of accommodation other than by an owner over the age of 60 years old (at least one per unit) and assessed as requiring a care package, unless otherwise agreed.
  - To require at least one occupier of a unit of accommodation to take a care package (minimum 2 hours per week), to be defined within the agreement, provided by a care provider operating from the site 24 hours a day.
  - Employment and Skills – a reasonable endeavours clause.
  - Compliance with M4(2) – accessible and adaptable dwellings – this captures the essence of Lifetime Homes and is the category closest to what Audley's residents need.
  - To provide no later than occupation of 20% of the Audley units to make available to owners (and members of the public, as relevant, on a managed basis), the following facilities:
    - Restaurant
    - Communal Lounge
    - Hobbies Room
    - Library
    - Audley Club

## Conclusions

237. The planning application proposes development that is considered to represent inappropriate development in the Green Belt, thereby being harmful by definition. However, this needs to be weighed against the Very Special Circumstances (VSC) as set out in the previous section. Collectively, these VSC's are considered, exceptionally in this case, to outweigh this Green Belt harm. The most compelling of these relates to the financial contribution to Young Epilepsy, which will be sufficient to allow it to continue to function as a school/college, providing specialist care for those with autism and epilepsy. The other VSCs are fully noted and afforded weight as discussed above. These VSC, are considered sufficient to outweigh the

harm that has been identified to the Green Belt if the application is granted planning permission.

238. Accordingly, the VSC's necessary to justify the development have been demonstrated and therefore a conflict with Policy DP10 of the development plan, and paragraph 148 of the NPPF 2021, would not occur. Further, given the existence of very special circumstances, and there being no overriding heritage objections, it follows that the application of the Framework's Green Belt and heritage policies do not provide a clear reason for refusing planning permission.
239. Other harms earlier identified as a result of the development being unacceptable in terms of its character and appearance and making insufficient provisions to mitigate the infrastructure effects of the development or to meet the affordable housing requirements of the District have been addressed in revisions to the application or will be addressed in the Section 106 agreement the applicants have agreed to enter into.
240. With respect to the application for listed building consent, there are a number of benefits deriving from the development proposal. The Granary is currently empty and in need of repair. This proposal comprises a new use as a picnic barn with repairs to be carried out as part of the development. The barn will also undergo repairs but a new use has yet to be established. The farmhouse would be used as an office. The repairs and functions of the Grade II Listed buildings would provide them with a value as part of the overall function of the site. In addition, the loss of the unsympathetic workshop and the provision of the new landscaping around the heritage buildings would provide a more sensitive setting whilst retaining the use of the car park. The development proposals overall will secure the future of irreplaceable heritage assets which is a significant public benefit.
241. The loss of 1 and 2 Farm Cottages is unfortunate from a heritage perspective, however, their removal in order to reduce the overall building mass on the site in the interests of complying with Green Belt policies is recognised.
242. Overall, taking into consideration the potential impact of the development proposal on the setting of the listed buildings, officers consider that these improvements would outweigh the less than substantial harm identified as part of this application. For these reasons, officers consider that the application would be acceptable and would comply with local and national policies and that Listed Building Consent should be granted.

#### **RECOMMENDATIONS:**

- i) PLANNING APPLICATION RECOMMENDATION: PERMIT** subject to that applicants first entering into a Section 106 agreement in the terms set out above and subject to the conditions set out in Appendices 1 and 2 to this report.
- ii) LISTED BUILDING CONSENT RECOMMENDATION: GRANT** subject to the conditions set out in Appendix 2 to this report.
- iii) THE CHIEF PLANNING OFFICER BE AUTHORISED TO AGREE ANY NECESSARY AMENDMENTS TO THE DRAFT CONDITIONS SET OUT IN**

**APPENDIX 1 AND APPENDIX 2, AND THAT THE CHIEF PLANNING OFFICER AND HEAD OF LEGAL SERVICES BE AUTHORISED TO AGREE THE FINAL WORDING OF THE SECTION 106 AGREEMENT COVERING THE MATTERS SET OUT IN THE HEADS OF TERMS AT PARAGRAPH 234 OF THIS REPORT.**