
Appeal Decision

Site visit made on 11 July 2017

by Alex Hutson MATP CMLI MArborA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 July 2017

Appeal Ref: APP/M3645/W/17/3171805

Land at Horne Park Farm, Bones Lane, Surrey, Newchapel RH7 6HR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs C Martin against the decision of Tandridge District Council.
 - The application Ref TA/2016/2195, dated 16 November 2015, was refused by notice dated 19 January 2017.
 - The development proposed is conversion of the former granary and coach house to provide 6 x 2 bed units and removal of redundant agricultural buildings.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of the former granary and coach house to provide 6 x 2 bed units and removal of redundant agricultural buildings at land at Horne Park Farm, Bones Lane, Surrey, Newchapel RH7 6HR in accordance with the terms of the application, Ref TA/2016/2195, dated 16 November 2015, subject to the attached schedule of conditions.

Preliminary matter

2. The application form is dated 16 November 2015. However, having regard to the dates of the submitted documents and plans, as well as the date on which the Council registered the application, it appears that the application should have been dated 16 November 2016. Nevertheless, this does not materially affect my consideration of the appeal.

Main issue

3. The main issue is whether the countryside location of the proposal would be acceptable having regard to local and national planning policy.

Reasons

4. The appeal site lies outside of any settlement boundary as defined within the Tandridge District Core Strategy 2008 (Core Strategy) and therefore lies within the countryside for planning policy purposes. Policy CSP1: Location of Development, of the Core Strategy, seeks to promote sustainable patterns of travel by directing development to within the existing built up areas of the District. Policy DP1: Sustainable Development, of the Tandridge Local Plan Part 2: Detailed Policies 2014 (Local Plan) sets out that when considering development proposals, a positive approach should be taken that reflects the presumption in favour of sustainable development contained within the

National Planning Policy Framework (the Framework). Paragraph 55 of the Framework seeks to avoid new isolated homes in the countryside unless there are special circumstances, including where the development would reuse redundant or disused buildings and lead to an enhancement to the immediate setting.

5. The appeal site forms part of the wider Horne Park Farm complex. It contains a large, 3 storey granary building and a single storey coach house. These buildings date from the Victorian period and are now redundant and disused. Whilst these buildings appear somewhat neglected, they are of considerable architectural merit and display some attractive architectural features. The appeal site also contains some agricultural sheds and a stable block which are also redundant or disused. These structures are more recent additions which in my view detract from the overall setting of the granary building and coach house. The proposal seeks to convert the granary building and coach house to provide 6 x 2 bed units and to remove the agricultural sheds and stable block.
6. The appeal site is located a considerable distance from any settlement. It is also located a considerable distance from any public transport routes. In addition, the roads which lead to any settlements or bus stops in the wider area have no footpaths and are unlit. On this basis, any future occupiers would be heavily reliant on the private motor vehicle to gain access to shops, services and facilities in the wider area to cater for their daily needs. Thus, the proposal would result in isolated dwellings in the countryside. Whilst the appellant makes reference to planning consents¹ at Little Woodbury, the Council notes that a considerable part of the route from the site to the nearest bus stop in those cases was along a public footpath which runs along a private access track. As such, the appeal site does not share the same context as the Little Woodbury site and these planning consents do not alter my view on this matter.
7. Nevertheless, the proposal would reuse the redundant and disused granary building and coach house. In addition, the renovation of these buildings and the removal of the agricultural sheds and stable blocks would, in my view, lead to a considerable enhancement to the immediate setting of these buildings. This would also be apparent in views from surrounding roads.
8. Thus, the proposal would demonstrate the special circumstances necessary to justify the proposal as envisaged by Paragraph 55 of the Framework. This is a material planning consideration to which I afford significant weight and, in my opinion, would outweigh any conflict with Policy CS1 of the Core Strategy, which in any case predates the Framework.
9. In addition to the reuse of the granary building and coach house and the enhancement to their setting, the proposal would not be inappropriate development within the Green Belt and would enhance its openness. The proposal would also provide new housing. Furthermore, it would generate Community Infrastructure Levy and New Homes Bonus payments for the Council and would be likely to create some short term construction jobs. It would therefore fulfil the economic, social and environmental roles of sustainable development as set out in Paragraph 7 of the Framework. Consequently, it would comply with Policy DP1 of the Local Plan.

¹ Council Ref TA/2015/1902; and Council Ref TA2016/1636

Other matters

10. The submitted Dusk/Dawn Bat Survey and Mitigation Strategy has identified that the granary building is used as a summer roost for bats, a species protected by law. However, it concludes that if its recommendations are followed, then no harm would arise to this protected species as a result of the proposal. The Council agrees with this view and on the basis of the evidence before me, I have no substantive reasons to consider otherwise. The Dusk/Dawn Bat Survey and Mitigation Strategy also sets out a requirement to apply for a European Protected Species Licence from Natural England. Having regard to the provisions of the Habitats and Species Regulations 2010, I have no substantive reasons to consider that such a licence would not be granted.

Conditions

11. I have had regard to the planning conditions suggested by the Council. I have amended some of these for clarity, conciseness and to avoid repetition. In addition to the statutory time limit condition, a condition specifying the relevant drawings is necessary as this provides certainty. A condition relating to materials is necessary in the interests of character and appearance. A hard and soft landscape condition is necessary for the same reason and, where this condition relates to parking layout, is also necessary in the interests of highway safety. A condition relating to renewable energy is necessary in the interests of the reduction of carbon dioxide emissions. Those conditions relating to lighting and ecological recommendations and mitigation measures are necessary in the interests of protected species. I also agree that a condition relating to noise is necessary in the interest of living conditions.
12. However, I am not persuaded that there are any exceptional circumstances to justify the removal of any permitted development rights as suggested by the Council. In addition, the Council has not refused the planning application on privacy grounds and does not definitively conclude, within its officer report, that the living conditions of any future occupiers of the coach house would be inadequate in respect of privacy. Furthermore, as the plans indicate that some glazed doors would be provided at ground floor and first floor level on the south east elevation to serve some of the main living areas within the granary building, it is likely that these would provide important outlook for any future users and are intended to be opened from time to time. Moreover, it would be the choice of any future occupier of the coach house to consider whether this unit provided them with adequate levels of privacy. As such, a condition to obscure glaze all doors and windows within the south east elevation of the granary building is both unreasonable and unnecessary.

Conclusion

13. For the reasons set out above and having regard to all other matters, I conclude that the appeal should be allowed.

Alex Hutson

INSPECTOR

SCHEDULE OF CONDITIONS:

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2015/20(20) A-1; 2015/20(20) A-2; 2015/20(20) A-3; 2015/20(20) A-4; 2015/20(20) A-5; 2015/20(20) A-6; 2015/20(20) A-7; 2015/20(20) A-8; 2015/20(20) A-9; and 2015/20(20) A-10.
- 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall commence until details demonstrating the location and design of renewable energy technology have been submitted to and approved in writing by the local planning authority. The renewable energy technology shall be implemented in accordance with the approved details, prior to the occupation of the development hereby permitted, and shall be retained and maintained thereafter.
- 5) No external lighting shall be provided on the site, unless details of any such lighting, including the specification of lighting units and information relating to light spread, shall have been first submitted to and approved in writing by the local planning authority. Any external lighting shall be provided in accordance with the approved details.
- 6) No development shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. Hard and soft landscape works shall be implemented in accordance with the approved details. Such details shall include:
 - a. finished levels or contours;
 - b. means of enclosure;
 - c. car parking layouts and turning areas;
 - d. areas for communal or private amenity space;
 - e. vehicle and pedestrian access and circulation areas;
 - f. hard surfacing materials;
 - g. any minor artefacts and structures;
 - h. proposed and retained trees, hedges and shrubs;
 - i. ground preparation;
 - j. planting schedules including details of species, sizes and proposed numbers/densities;
 - k. areas to be grass seeded or turfed; and
 - l. a scheme of ongoing maintenance.

All soft landscape works shall be carried out within the first planting and seeding season following the completion or occupation of any part the development hereby permitted, whichever is the sooner and shall be maintained in accordance with the scheme of maintenance thereafter. Any trees or plants, including those retained, which within a period of 5 years from the date of the completion of the soft landscape works die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species. All hard landscape works, including car parking layouts and turning areas, shall be implemented prior to the occupation of any part of the development hereby permitted and shall be retained and maintained for their designated purposes thereafter.

- 7) No development shall commence until a scheme to demonstrate that internal and external noise levels, in accordance with BS:8233 2014-Guidance on Sound Insulation and Noise Reduction for Buildings, has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details, prior to the occupation of any part the development hereby permitted, and shall be retained and maintained thereafter.
- 8) The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out in the Dusk/Dawn Bat Survey and Mitigation Strategy by PJC Ecology dated September 2015.