



Appeal Decision

Hearing held on 27 March 2025

Site visit made on 28 March 2025

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 MAY 2025

Appeal Ref: APP/M3645/W/24/3352066

Perrysfield Farm, Gibbs Brook Lane, Broadham Green, Oxted, Surrey RH8 9PG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Knightwood Developments Ltd against the decision of Tandridge District Council.
 - The application Ref is TA/2023/1249.
 - The development proposed is the erection of 29 dwellings (including 10 affordable and 10 homes for active older persons) through conversions, demolition and erection of dwellings, plus associated parking, drainage infrastructure, access improvements, new footpath, landscaping and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of 29 dwellings (including 10 affordable and 10 homes for active older persons) through conversions, demolition and erection of dwellings, plus associated parking, drainage infrastructure, access improvements, new footpath, landscaping and associated works at Perrysfield Farm, Gibbs Brook Lane, Broadham Green, Oxted, Surrey RH8 9PG in accordance with the terms of the application, Ref TA/2023/1249, and subject to the conditions in the attached schedule.

Preliminary Matters

2. Since the application was submitted, the National Planning Policy Framework (the Framework) has been revised (December 2024). There was, in particular, changes to Green Belt policy. I am satisfied that both main parties have had adequate opportunity to make submissions, both in writing and at the hearing, based on the revised Framework.
3. One of the reasons for refusal concerned issues with the visibility at the proposed site access junctions and the resulting effect on road safety. Discussions have continued during the appeal process. The Council has confirmed that, subject to suitable conditions in any approval including the provision of a road safety audit, this highway concern has been resolved. Consequently, it does not wish to pursue this matter and I have found no reason to disagree that this reason for refusal has been addressed.
4. A completed Unilateral Undertaking (UU) has been submitted which includes a number of obligations. I will consider the UU later in this decision.

Main Issues

5. The main issues are:

- whether or not the proposal would be inappropriate development in the Green Belt having regard to the Framework and relevant development plan policies,
- the effect of the proposal on the openness and purposes of the Green Belt,
- the effect of the proposal on designated heritage assets, including the Broadham Green and Spring Lane Conservation Area, and the Grade II Listed Perrysfield Farmhouse and the Grade II Listed Granary,
- whether or not the development would be in a suitable location having regard to sustainable transport options, and
- whether or not any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Green Belt

Whether or not inappropriate development

6. The site is located within the Green Belt. The Framework explains that the Government attaches great importance to Green Belts and 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.
7. In terms of proposals affecting the Green Belt, the Framework also explains that substantial weight should be given to any harm to the Green Belt, including harm to its openness. With relevance to this proposal is the Framework statement that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
8. Policy DP10 of the Tandridge Local Plan Part 2 – Detailed Policies 2014-2029 (adopted July 2014) (the Local Plan) concerns the Green Belt and is generally consistent with the Framework, and includes the requirement for very special circumstances to be demonstrated to justify inappropriate development.
9. The scheme proposes 29 new residential units on this Green Belt site. One of the residential units (plot 29) would be delivered as a conversion of the Horse Engine Barn, a seven bay timber framed building adjoining Perrysfield Farmhouse. Horse Engine Barn is a solidly built structure, albeit in need of refurbishment. The re-use of this building, without extension, in the circumstances where this structure is of permanent and substantial construction, would meet with one of the exceptions for development in the Green Belt. Specifically, it would not be inappropriate development as it would accord with the requirements of Framework paragraph 154(h)iv. Additionally, this aspect of the scheme would comply with Policy DP13 of the Local Plan.
10. Attached to Horse Engine Barn is an L shaped, single storey building which is in Class E business use and can be considered to be previously developed land. The

scheme seeks to demolish the business building and to construct a detached L shaped dwelling (plot 28) which would consist of one and two storeys. This new dwelling and associated garage would result in a building of greater volume, height and footprint than the building to be demolished. However, I agree with the Council that the change would not cause substantial harm to the openness of the Green Belt in this location. Consequently, the construction of the dwelling on plot 28 would not be inappropriate development, as it would comply with the exception in Framework paragraph 154(g) constituting the complete redevelopment of previously developed land which would not cause substantial harm to the openness of the Green Belt.

11. The other parts of the scheme include the demolition of the extensive range of agricultural buildings, and the replacement with 27 new build dwellings. As the existing buildings have an agricultural use, these sections of the site do not meet with the definition of previously developed land. Consequently, this part of the scheme, which would cover the vast majority of the appeal site, should be considered inappropriate development within the Green Belt as it does not fall within any of the Framework exceptions. This is a matter which, by definition, attracts substantial weight against this part of the proposal.

The effect of the proposal on the openness and purposes of the Green Belt

12. It is common ground between the parties that the redevelopment of the site, with the replacement buildings predominantly located on or near the footprint of the existing buildings, would not conflict with any of the purposes for including land within a Green Belt. I agree.
13. In terms of openness, as the Planning Practice Guidance explains, openness is capable of having both spatial and visual aspects. The Statement of Common Ground confirms that the buildings on the site comprise 31,958 cubic metres in volume and 6,594 square metres in footprint. This reflects the extensive presence of buildings. It is agreed that the scheme would result in the built form reducing by 51.5% in volume and with a reduction of 53.3% in footprint.
14. Furthermore, in terms of the position of buildings, along the north western boundary with Southlands Lane, the agricultural buildings close to the road would be removed and the replacement dwellings set in further from the road boundary. In particular, the prominent western barn, near Constables Cottage, would be removed and replaced in this location by gardens behind hedging. These changes would lead to a clear and meaningful increase to the openness of this part of the site, especially when seen from sections of the adjoining road.
15. There would be a similar change to openness along the south western edge of the site. The large barns would be replaced by smaller buildings which would be sited in from the edge of the present hard surfaced and built part of the farmyard group. Again, this would lead to a marked improvement to openness in this area.
16. To the south eastern boundary of the farm building group, the two barns would be removed and replaced by four dwellings. These would have a broadly similar presence to the present barns in this area. However, the removal of the prominent concrete walls of the silage clamps and the removal of the circular metal, above ground slurry tank, both of which project beyond the area of the existing buildings, would lead to an appreciable and valuable increase in openness to this part of the site.

17. Furthermore, the grass covered area south of the silage clamps has an elevated profile that, because of its height above the surrounding land, affects openness to a modest degree. This area of land would be lowered and recontoured to provide a lower level which would merge more sympathetically with the surrounding levels. This lowering of the land would lead to it appearing more open in views into this area. This would have a minor but positive benefit to Green Belt openness.
18. Furthermore, across the built form of the site, the bulk of the proposed buildings would be smaller than at present and there would be increased views between the buildings and within the various spaces that would be created. This would provide an increased perception of spaciousness compared with the present relatively large and bulky form of the buildings which are often grouped so that they appear as a solid block. Again, in this respect, the scheme would provide benefits to Green Belt openness.
19. The proposed residential use would have some adverse impact on openness including with general activity, parking of vehicles, domestic paraphernalia and fencing. This would, however, be fairly limited and would be largely confined to areas around the buildings and access road. Consequently, these associated impacts of the residential use would not especially undermine the substantial improvements to openness that the scheme would deliver.
20. Drawing these matters together, compared to the present situation, the scheme would result in a considerable and appreciable increase in Green Belt openness, both in spatial and visual terms. This would deliver a clear Green Belt benefit and I will return to this matter in the conclusion section.

Heritage assets

Background

21. As a decision-maker, I must consider this appeal in light of the statutory duties placed upon me under sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). These require that special regard shall be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Paragraph 202 of the Framework advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.
22. There are a number of designated heritage assets which could be affected by the proposal. The buildings on the appeal site are located within the Broadham Green and Spring Lane Conservation Area (the Conservation Area) and Perrysfield Farmhouse and the Granary, to the rear of the Farmhouse, are both individually Grade II listed.
23. To the south of Perrysfield Farmhouse is the Horse Engine Barn. This is a seven bay, timber framed barn. There is a disagreement as to whether or not this building is listed by virtue of it being located within the curtilage of Perrysfield Farmhouse. As part of the considerations, and to help to judge the weight to be attached to any heritage impacts, it is necessary for me to consider this issue.

Whether or not Horse Engine Barn is curtilage listed

24. Section 1(5) of the Act, in summary and with relevance to this situation, sets out that a listed building means any structure within the curtilage of the listed building which, although not fixed to the building, forms part of the land and has done so since before 1st July 1948, and shall be treated as part of the listed building.
25. The Council has highlighted the three tests set out in Historic England Advice Note 10: Listed Buildings and Curtilage. These reflect the tests referred to in *Attorney-General ex rel Sutcliffe v Calderdale Borough Council* [1983] JPL 310. The appellant has also made a series of submissions on this issue, including referring to the Court of Appeal decision on *R. (on the application of Hampshire CC) v Blackbushe Airport Ltd* [2021] EWCA Civ 398. This latter judgement related to a common land proposal but addressed the issue of curtilage and, in summary, it was found that in terms of the curtilage of a building it was wrong to ask whether the land and building together comprised a unit and that the correct test was that set out in *Methuen-Campbell v Walters* [1979] Q.B. 525, [1978] 6 WLUK 124, namely whether the land was so intimately associated with a building that the land formed part and parcel of the building.
26. In this case, the Horse Engine Barn and the listed Farmhouse share an access drive and rear yard area, made of the same ironstone surface, and are sited close to each other. It appears that Horse Engine Barn is the main remaining older barn that would have operated in conjunction with Perrysfield Farm, and the adjoining Farmhouse. They have historically been in the same ownership and appear to have formed part of the same land since 1 July 1948.
27. I consider that the Horse Engine Barn is a subordinate building to the main Farmhouse and the layout and shared access and surfaces, the appearance and relationship on the ground that I saw as part of my site visit, the history and past uses in conjunction with each other, all combine to be such that Horse Engine Barn is so intimately associated with the listed building that it forms part and parcel of the same land with the listed Farmhouse. Consequently, I find that as a matter of fact and degree that Horse Engine Barn should be considered listed by reason of it falling within the curtilage of the Perrysfield Farmhouse.

Significance of the listed buildings

28. In terms of the significance of the various buildings in relation to the issues in this appeal, Perrysfield Farmhouse has heritage significance including because it is a reasonably large and high status vernacular building of considerable age. The earliest parts of which date from 1625-1670. Key elements of its special interest relate to its form, layout, use of materials, scale, siting and timber framing, together with the association with the farmyard.
29. The listed Granary to its rear is described as being from the 18th century, although it does not appear on the 1839 tithe map and may have been relocated subsequently. It has heritage significance as an important part of the historic farmstead. It had a key agricultural storage use and key aspects of its special interest reveal its significance such as its form, scale, grain bins, staddle stones and use of materials.
30. Horse Engine Barn has heritage significance including because it is a relatively large seven bay, Surrey barn most likely dating from the 17th century and extended

in the 19th century. The building would appear to have been an integral part of the 17th century farmstead at Perrysfield Farm with key elements of its special interests and significance include its age, size, form, use of timber framing, openings and siting.

31. In terms of the setting of these three buildings, the Farmhouse and the Horse Engine Barn have main elevations fronting Gibbs Brook Lane and this area forms an important part of their setting. This provides a pleasant rural arrangement, especially as the front facade of the farmhouse can be appreciated in these public views.
32. The Farmhouse has a vehicular access that runs from the road continuing to its rear and then, via metal gates, into the farm complex. There is a garden around parts of the Granary and to the side of the Farmhouse. However, the access, parking areas, gravel surface with parking, and the presence of the large, somewhat dilapidated and functional agricultural buildings positioned so close to the rear of the Granary and Farmhouse, detract from this rear area which forms part of the setting of these listed buildings.
33. It is understood that these agricultural buildings would have been functionally associated with the Farmhouse and historically this is broadly where older farm buildings would have been before their removal. The association of the Farmhouse and Granary with the historic farming use on this land forms part of their significance. However, this rear area is crowded by more modern buildings and these agricultural buildings appear quite imposing on the setting of the listed Granary and Farmhouse.
34. The fact that these functional buildings are of agricultural design and previous use does, to some extent, reduce the harm to the setting of the listed buildings because of their association with this farming site. However, these listed building do not have sufficient space around them to provide a suitable setting and allow their significance to be fully appreciated.
35. The situation is much the same with the Horse Engine Barn. At the rear, the setting to this building is severely compromised including by the presence of the functional farm buildings, the positioning of metal shipping containers, sections of block walling, areas of concrete yard and the very poor appearance of the attached business building and associated activities.

Effect of the proposals on the significance of the listed buildings

36. The scheme would remove all of the functional agricultural buildings to the rear of the farmhouse, Granary and Horse Engine Barn. In terms of the land to the broadly west of the Granary and Farmhouse, the access through to what are presently the group of farm buildings would be removed and a hedged boundary would be formed. The other side of this hedge would be a separate vehicular drive and car parking. There would be activities in this area associated with the new residential use, including parked vehicles which are likely to be partially visible from areas around the listed buildings.
37. Also visible from some areas around the Granary and Farmhouse would be the end gables of two terraces of dwellings. However, these gables would be fairly well separated from the boundary with the Granary and Farmhouse and would have

blank elevations. Consequently, these terraces would be fairly minor additions in which the wider surroundings of the two listed buildings would be experienced.

38. The result of the proposed changes would be that the rear of these two listed buildings would be opened up to views from within parts of the new housing site and would no longer be compromised by the functional appearance and position of the agricultural buildings. However, the Granary and Farmhouse would now only be experienced in association with residential development and the functional and historic link with a farmyard group would be lost. This link and association is a component of their significance and this change to wholly residential surroundings would result in heritage harm, albeit very limited because of the layout and spacing to be provided.
39. Drawing these matters together, in terms of the Granary and Farmhouse, there would be a very low level of less than substantial harm resulting from the introduction of the residential surroundings to these listed buildings, including with a new residential use for Horse Engine Barn, and the loss of association with a farming group.
40. However, there would be heritage benefits from the removal of the functional agricultural buildings which adversely compromise their setting at the present time. The removal of these existing buildings would lead to a low level enhancement. I consider that the level of benefits from the removal of the agricultural buildings is tempered because these buildings are agricultural and, therefore, this reduces the harm to the setting. I will consider the harm to these two listed buildings in the heritage balance later in this decision, and take into account the low level enhancement to their setting from the removal of the agricultural buildings as public benefits to be considered in the balance.
41. In terms of the Horse Engine Barn, it is agreed that the conversion to a single dwelling would, despite some modest adverse effects to the timber frame, secure the building's optimum viable use. It would ensure the future of this building which is in need of substantial repairs. Other matters such as the repair of the ironstone surfaced yard would also be undertaken. Listed Building Consent has been granted for the conversion of this building to its proposed residential use.
42. The appeal scheme would also see the removal of the imposing and functional agricultural buildings to the broadly west of Horse Engine Barn. These adversely affect the setting to this curtilage listed building. Additionally, the harmful elements of the yard would be removed and, importantly, the demolition of the business building from the end gable would also improve the setting around this section of the barn.
43. The new housing would be set away from Horse Engine Barn. In particular, the single storey older persons housing would be located behind the proposed outbuilding and Plot 28 (replacing the business building) would be detached and positioned to the south. However, there would be some adverse effect to significance and setting from the residential gardens that would surround Horse Engine Barn, both on the road side and to the south of this converted building. There would also be a single storey storage building along the rear boundary and fenestration to the barn associated with its new residential use, and all these elements would add a more domestic appearance to the surroundings.

44. In conclusion on the impacts in relation to Horse Engine Barn, there are positive benefits to this building from the proposed residential use ensuring it is put to the optimum viable use, even having regard to the minor harm from some aspects of the works themselves. With the changes to the setting there would be a very minor harm from the introduction of the residential use to the surroundings within which Horse Engine Barn was experienced, both from the use itself and from the wider surroundings, and also from the related loss of historic connection with the farmstead.
45. However, the siting of the new build residential buildings would provide more space around Horse Engine Barn and in this way would improve how it was experienced and the removal of the functional agricultural buildings would provide further benefits to the setting. I consider that this would result in a low level of enhancement. In conclusion, the harm to this curtilage listed building and setting from the proposed development would be a very minor level of less than substantial harm. I will consider this harm in the overall heritage balance and take into account the public benefits that would arise from the scheme in relation to Horse Engine Barn.

Significance and character of the Conservation Area

46. The other important designated heritage asset is the Conservation Area. This is a rural Conservation Area which stretches from Oxted Mill in the north, across agricultural fields, includes buildings and the common land within Broadham Green, and extends south to include Perrysfield Farmhouse and the modern farm building group. These various sections of the Conservation Area have distinctive features and differing characters.
47. The character and significance of the section around Broadham Green includes the prominence of the green open space with its historic common land use. The buildings border parts of this open space, some of traditional and historic appearance, and with a fairly low density and single depth pattern. The built form and layout together with the open space combine to provide an attractive and distinctive appearance to this area.
48. Historically, the common land extended south towards the junction with Southlands Lane and Gibbs Brook Lane. However, this is not the case anymore and the common land and the related character of the land associated with Broadham Green is separate from the appeal site.
49. On the ground, and based on my observations, there is a distinction in character between the land around Broadham Green and the southern section of the Conservation Area. This southern section of the Conservation Area includes the Listed Farmhouse, associated Horse Engine Barn, and the modern farm buildings. This southern section has a rural and agricultural character, referenced historically by the Farmhouse and Barn. The grouping of the buildings provide a denser built form, with little spacing between buildings, and this pattern of development can be contrasted with the Broadham Green area.
50. While Perrysfield Farmhouse, the Granary and Horse Engine Barn are positive features of the Conservation Area, it is common ground between the main parties that the more modern farm buildings on the appeal site detract from the character and appearance of the Conservation Area.

51. In terms of a more detailed assessment, some of these more modern agricultural barns have shallow sloping roofs, muted external colours, such as with timber boarded elevations, and a reasonably low eaves height. While sizeable in footprint, such as the three large barns along the south western side of the site, these buildings are not unexpected in a rural landscape, albeit perhaps not in a Conservation Area, and are not especially incongruous, despite their size.
52. Other buildings which form part of the farm group have a more box like appearance, with a higher eaves level. Some are also finished in materials such as metal panels, in one case of a fairly light colour, and some have, in part, concrete block elevations. These types of farm building are dotted across the site and have a more industrial feel to their appearance. They appear especially out of place and draw the eye in some views within and towards the Conservation Area.
53. In summary, the modern farm buildings retain an agricultural association with Perrysfield Farmhouse and Engine Horse Barn and this provides some reflection of the historic farm group that previously stood on this site. A grouping of farm buildings is not that unexpected in a rural area, but they do have a visual presence that, as a whole, detracts from the significance, and character and appearance of this Conservation Area, within which they are located. Taking all matters into account, the level of harm from the modern farm group to the Conservation Area as a whole is modest.

Effect of the proposals on the significance of the Conservation Area

54. The scheme would replace all the modern farm buildings in this group with a development that would include the construction of 28 new build dwellings. The volume and footprint of built development would be substantially reduced. The dwellings would be positioned in broadly similar locations as the present buildings, albeit with reduced bulk and with increased space alongside parts of the Southlands Lane section and along the broadly south west side of the site. The new dwellings would have a design, materials and shape inspired by and take references from agricultural buildings. This agricultural referencing to the design would provide some acknowledgment of the historic use of the site and the significance that this provides to this part of the Conservation Area.
55. Furthermore, the tightness of proposed buildings to the access within the site and the reasonably short, straight lengths of this road, together with the form of the building terraces, would discriminate the scheme from a more generic housing estate. The grouping of residential buildings in the way proposed would broadly reflect the present pattern of development and, I consider, would be an appropriate architectural and layout response. On the ground, the site would still be experienced as a distinctive part of the Conservation Area, separate from the different character of Broadham Green.
56. An important view of the site is from some southern parts of Gibbs Brook Lane, towards the generally south western section of the site. In this view, the four houses would appear fairly close together and produce a reasonable bulk of building along this boundary. However, in this broad area, the functional agricultural buildings would be removed as well as the concrete silage clamps and the land would be contoured to reflect a more appropriate land form. There would also be a sympathetic and comprehensive landscaping scheme that would soften

the impact of this housing when looking towards the Conservation Area from the south. The effect of these changes would not draw the eye.

57. Taken as a whole, as I conclude below, the building bulk, design, materials, layout and landscaping would combine to form a development of the highest architectural quality. Furthermore, there would be benefits to the Conservation Area, and listed buildings, with the removal of the agricultural building group.
58. On the other hand, despite the present concentration of agricultural built development, such buildings would not be unexpected in a rural area, and they would be replaced by a relatively dense residential scheme given the general surroundings. For instance, the scheme would provide more new dwellings on this site than are present within the rest of the Conservation Area and would be a fairly significant change to the balance of development across this rural Conservation Area.
59. Notwithstanding the quality of the design and layout, the redevelopment of agricultural buildings and the provision of new build residential dwellings would bring with it changes to visual appearance and related activity that would affect character. This would include the introduction of domestic fenestration to the built form and related impact of lighting after dark, the presence and movement of vehicles, and the introduction of gardens and domestic paraphernalia, including along the boundary with Gibbs Brook Lane. The residential development would remove, other than with Horse Engine Barn and the Granary, the last vestiges of agricultural buildings and the connection to the historic use of the site. I consider that the residential presence, at the scale proposed, would inevitably introduce an urbanising impact to this rural section of the Conservation Area, and this would lead to heritage harm.
60. Drawing these matters together, I conclude that the presence of the agricultural building complex has a modest but harmful impact on the character and appearance of the Conservation Area, when considered as a whole. In terms of the proposal, there are many positive aspects, nevertheless, as a result of the scale of the scheme, and the inevitable impacts of the residential development at this rural edge within the Conservation Area, the proposal would result in harm to the character and significance of the Conservation Area as a whole. I consider that there would be an adverse effect and that this would be at the low to moderate level of less than substantial harm. I will take into account the benefits of removing the modern farm buildings as a public benefit in the heritage balance below.
61. The scheme would, however, not preserve or enhance the character or appearance of the Conservation Area and the duty under section 72(1) of the Act would not be met.

Conclusion on heritage impacts

62. In coming to my conclusions, I have very carefully considered all the heritage evidence that has been presented as part of the application, appeal and at the hearing. It will be seen that I agree with various parties on some matters but not on others and I have explained my reasoning above.
63. In summary, in terms of the two listed buildings, Perrysfield Farmhouse and the Granary, I consider that there would be a very low level of less than substantial harm to the significance of these designated heritage assets. The effect of the

proposal on the curtilage listed Horse Engine Barn would be a very minor less than substantial harm. For the Conservation Area as a whole, the impact of the proposal would lead to a low to moderate less than substantial harm to the significance of this heritage asset. The combined adverse impact to the significance and special interest of the designated heritage assets would, in my judgement, be a low to moderate level of less than substantial harm and I will weigh this harm against the public benefits of the proposal, in the heritage balance later in this decision.

64. However, at this stage, I wish to highlight the requirements of Policy DP20 of the Local Plan. This policy concerns heritage assets and it sets out a presumption in favour of development that protects, preserves and, where possible, enhances heritage assets. However, in addition, a key element of this policy is the provision that where the public benefits of a proposal significantly outweigh the harm to, or loss of, a designated heritage asset or its setting, exceptionally planning consent will be granted. It is explained that these benefits will need to be proportional to the significance of the asset and to the level of harm or loss proposed.
65. Consequently, in relation to Policy DP20, providing that the public benefits significantly outweigh the harm, exceptionally planning consent can be granted in accordance with the development plan. There is the test of proportionality in terms of the significance of the asset and the level of harm, however, providing that this policy test is met, a scheme even though there may be some harm, would not fail the policy. I will return to this matter in the conclusions.

Location

66. The appeal site lies in a rural area to the general west of Hurst Green and south west of Oxted. At my informal visit to the area the day before the hearing, I walked to the appeal site and back from the small parade of shops at Pollards Oak Road, which includes a convenience store with Post Office and a pharmacy. Hurst Green Railway Station is also nearby. The distance from the Station to the site is about 1.2 miles and it took me just under 25 minutes to walk in each direction. There is also a mix of other facilities in this general area, such as a car repair garage, the Hurst Green Community Centre and a bit further distant, Hurst Green Infant School and Nursery.
67. Additionally, about 1 mile to the north of the appeal site is Old Oxted which has a very modest mix of services and facilities. Oxted, which is a larger service centre, is very broadly about 2 miles away.
68. In terms of walking, the proposal includes the provision of a permissive footpath, on the eastern side of Gibbs Brook Lane, which would connect the proposed housing site with the common land at Broadham Green. This would provide a very gently sloping and useable route for walkers to link, off road, to the common land. I consider that in this location the width proposed would be adequate. I saw at my site visit that there were worn routes across the grass of the common land, on land away from the edge of the highway, where walkers would have appeared to have crossed on a regular basis.
69. The common links to a bridleway to the west and also to The Haycutter Public House on the eastern side of the common. There would, therefore, be very reasonable and convenient options for recreational walks and to access the public

house without the need to use a private vehicle, and this would be in addition to the recreational use of the open space that would be available on site.

70. Occupants of the proposed housing, who may wish to travel further afield, could potentially walk to the Railway Station. The Station would allow access to direct and regular trains to London, and connections to other parts of the rail network. The shop or pharmacy may provide another destination in that locality. I accept in poor weather crossing the grass surface of the common by foot, which at times could be muddy, would not be desirable. Furthermore, there are limited street lights along this part of the route and, therefore, this may limit walkers using the route at some times of the year for those coming or going from the Station and other areas.
71. The Chartered Institution of Highways and Transportation document Planning for Walking (March 2015) details that across Britain, approximately 80% of journeys shorter than 1 mile are made wholly on foot. This percentage drops off fairly substantially as the distance increases.
72. The distance to the Station, including across the common and along the footway next to the houses in Tanhouse Road and then the final road sections to the Hurst Green Station, is a little over 1 mile and as the Planning for Walking document indicates this is a distance where the propensity to walk reduces.
73. However, when I walked the route from and to the Station, why accepting the distance and the time that it took, I found it a useable route and particularly across the common a pleasant one on that occasion. It was, other than a short section near the Station, a fairly level walk. Both on footways and across the common, walkers would be separated from traffic such that there was no need to walk in the road. Given the limited car parking at the Station, and the greater certainty of timing to catch a train when walking because there is no need to find a parking space, for some residents wishing to travel from the Station, the distance and quality of route would provide a realistic alternative to using the private vehicle.
74. I consider the same option to walk could be the case for occupants of the housing who may wish to use, on occasion, the Post Office, pharmacy or convenience store. Occupants may choose to drive but the option of walking would be available for some, certainly during reasonable weather.
75. In relation to cycling, both main parties have drawn my attention to the Cycle Infrastructure Design - Local Transport Note 1/20 (July 2020)(LTN 1/20). This document explains the recommended basis for local authorities when designing new cycling schemes and applying for Government funding. Most of the document seems to be directed at the provision of urban cycling schemes and providing a cycle network, although there are references to rural situations. I note that LTN 1/20 explains that most people, especially with younger children, will not feel comfortable on-carriageways with more than 2,500 vehicles per day and speeds of more than 20 mph, and that these values should be regarded as desirable upper limits for inclusive cycling within the carriageway.
76. At the hearing I listened very carefully to the views of local residents on the issue of cycling and the information that it would be unlikely that occupants of the development would cycle from the site because of the nature of the road network.

77. In terms of the roads around the site, both Southlands Lane and Gibbs Brook Lane form part of the long distance and interconnecting The Surrey Cycleway route. While this is a recreational route it does give some indication, in general, that the County Council consider that these roads are suitable for cyclists.
78. It seems to me that the route from the site along Southlands Lane, towards more open countryside to the south west, although part of The Surrey Cycleway, because of the curving nature of the road, raised verges and nearby hedges, would not be an especially attractive route on a day to day basis for cyclists.
79. However, the most convenient and direct route from the site to services and facilities in Hurst Green and beyond would be to the north along Broadham Green Road. This is a 40mph road until the 30mph limit is reached near the junction at Broadham Green. From that point, and along Tanhouse Road, the speed limit is 30mph. The traffic data, highlighted at the hearing, indicates that the number of vehicle movements are about 2,700 per day and, therefore, the road, in accordance with LTN 1/20 would require a separate cycle lane if the design was to meet the required standards.
80. Nevertheless, this is an existing route and, from the site towards Broadham Green, the sides of the road are grassed and fairly open with low verges and forward visibility is generally good. The open aspect to the road and the good visibility means along this section across the common, to my mind, would be a reasonable route for cyclists. Past the Haycutter Public House, one side of the road is treed and the other has a footway and housing. This is a fairly typical, albeit quite busy road, but not unreasonable for some cyclists to use. At the end of Tanhouse Road there is the wider urban road network on the edge of Hurst Green.
81. It would take about 10 minutes to cycle from the site to the Railway Station and a little longer to the facilities in Pollards Oak Road. The only hilly section is reasonably short and towards the Station. Other services and facilities in Old Oxted and Oxted would take longer and would involve cycling on a more extensive part of the road system but are not beyond a reasonable and achievable distance for some cyclists. It would seem to me that the area is a fairly typical mix of urban and rural roads where those who wish to cycle would generally be able to do so and the road network is not especially incompatible with that use.
82. I appreciate that the road conditions may mean that some occupants would not wish to cycle the reasonably modest distance into and out of Hurst Green and Oxted from the site. I also understand that the existing network, like many in the area, would not meet the detailed design requirements of LTN 1/20. However, based on all the information, including from the appellant's highway consultant who considers the network suitable for cycling, and my own observations, I am satisfied cycling would be a realistic option for some occupants to access services and facilities, and some employment sites, especially in reasonable weather.
83. In terms of public transport, there is a very limited bus service that passes the site. There are three early morning buses that travel along Southlands Lane to the south west and which travel to Redhill. Three buses travel back in the opposite direction in the evening. The provision of the bus stop and the bus vouchers would assist public transport use, and would raise the profile of public transport. However, with the level of bus services in the vicinity of the proposed housing, it is

unlikely to provide an alternative to the private vehicle for occupants of the site, other than in the most specific of circumstances.

84. At the hearing, the opportunities provided by the Surrey Connect Digital Demand Response Transport Service were explained. This is a demand led public transport service that is available by booking and enables users to be picked up and dropped off. It was explained that this trial service was being expanded across wider parts of Surrey and the site was in a good location to benefit. I fully appreciate that this is a trial although substantial funding has been allocated, and that it is intended to complement rather than replace bus services. Bus passes are accepted on these electric minibuses and the indications are that it has been successful so far and in many respects would replace the need for a taxi. Again, this service may not be sufficiently flexible or regular for some, and it seems to be best suited to mostly one-off and occasional journeys, but it is another option that occupants of the site would have available as an alternative to the private vehicle.
85. Drawing these matters together, the site is located outside the built-up area of Oxted and Hurst Green and it is very likely that most of the trips to and from the site would be undertaken by car. Journeys, for instance, for main convenience shopping and dropping of children to school would almost certainly require occupants to use a car. However, such journeys in the main would be short as the site is not especially remote or disconnected from the main built-up areas. Furthermore, the site is not without some options, and walking and cycling would be reasonable and genuine alternatives for some people on some occasions. The Demand Response Transport Service would provide an additional alternative.
86. I am also conscious when considering the suitability of a site from a transport sustainability perspective that the Framework advice is that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making. I do not consider that the level of development, in the context of the housing supply figures and general background to this scheme, should be considered significant within the meaning of paragraph 110 of the Framework.
87. Also, by way of background, the Council is unable to demonstrate a Framework compliant supply of housing land and this will probably necessitate in the future the exploring of some sites to meet the housing need that require some compromises in terms of sustainable transport options, especially in a Council area that is predominantly rural. I also consider that this scheme for 29 additional units, with the likely level of additional movements and distances travelled by vehicles from this site, would not be unreasonable. Furthermore, given the range of transport options that would be available to various occupants and visitors, I am satisfied that safe and suitable access to the site would be achieved for all users. The scheme would be Framework compliant in these respects.
88. It follows that I conclude the development would be in a suitable location having regard to sustainable transport options and, as a consequence, the scheme would not conflict with Policy CSP12 of the Tandridge District Core Strategy 2008 (the Core Strategy, Policy DP5 of the Local Plan and the Surrey Local Transport Plan 4.

Other Considerations

Housing land supply

89. The Council, in its appeal statement, indicates that it has permitted, or resolved to grant, new housing on five Green Belt sites for 410 dwellings and 152 units of specialist housing, such that it argues there is a clear delivery pipeline of units. However, I am also conscious that the emerging Local Plan has recently been withdrawn because the examining Inspectors were not satisfied that the Plan approach was sound.
90. Furthermore, it was agreed at the hearing that the Council is able to demonstrate only about 1.45 years of housing land supply. This is a very significant deficit against Framework requirements. This is coupled with poor delivery in the past such that the Housing Delivery Target has not been met and the Council is subject to an Action Plan.
91. The Framework explains that the Government's objective is to significantly boost the supply of homes. The provision of 29 homes would be a worthwhile addition in a Council area that has a very poor level of housing supply, with little convincing evidence that this will substantially improve in the foreseeable future. The benefits of delivering 29 units of housing merit substantial weight in favour of approval.

Affordable housing

92. Of the 29 units, the scheme proposes 10 of those units as affordable accommodation. This would consist of 5 No 3 bedroom and 2 No 2 bedroom affordable rent houses, and 3 No 2 bedroom shared ownership properties.
93. The Council consider that the seven affordable rented dwellings should not be provided on site because of locational sustainability issues. I have concluded above that the location is acceptable for housing of the scale proposed. I understand that affordable housing tenants may be less able to afford to run one or more cars than some other households, and a private vehicle is likely to be a necessity to enable reasonable access to employment, services and facilities on more rural sites. However, it is also important to provide a mix of locations to suit the needs of different affordable housing tenants, including providing access to various employment locations, some of which will be in rural areas. Furthermore, prospective tenants of the rented units would need to apply through the HomeChoice application process. Consequently, it should be possible to find tenants who are suited to a more rural site and able to accommodate the transport requirements of such a location.
94. There are benefits with providing the affordable units on site, not only as this would meet the Framework expectations for delivery, but the mix of units would help provide a more balanced community on the site and in this wider area.
95. The Council's Housing Delivery Manager has confirmed in the past, subject to sustainability issues, that the affordable housing mix is acceptable and would meet the housing needs as there is an acute need for larger family units. The number of affordable units would also accord with the requirements of Policy CSP4 of the Core Strategy and deliver a policy compliant 34% of affordable housing.
96. The hearing statement "Delivery of on-site Affordable Housing" (25 November 2024) (Stuart Larkin and Associates Ltd) includes details of the past affordable

housing delivery and analyses the future affordable housing prospects for the Tandridge District Council area. This statement identifies that during the period 2018 to 2024, 379 affordable homes were supplied, out of an identified need of 2,602, which is a shortfall of 2,223 units and delivery of only about 14.6%. The calculations in this statement also indicate that the current under-supply from the last 6 years is set to continue forward, with no significant increase identified to meet the need.

97. By way of additional background to the affordable housing need, the Council explained at the hearing that there are, on average, 188 bids from those seeking housing for every affordable property that becomes available, with a 5 year wait for a 3 bedroom property. This information reinforces the serious affordable housing situation and the need for delivery on suitable sites as soon as possible.
98. In conclusion, the affordable housing situation in the District, including for the Oxted area, is bleak and appears likely to be so for the foreseeable future. It follows that the provision of 10 units of affordable, family housing, with gardens, and on an attractive site with generous open space and within reasonable proximity of Oxted and Hurst Green, should afford significant weight in favour of approval. The affordable housing benefits are an additional benefit over and above the provision of the 29 units themselves.

Housing for older people

99. The Framework seeks the delivery of a sufficient supply of homes and that the size, type and tenure of housing for different groups in the community should be assessed and reflected in planning policies. These groups include housing for older people. The Planning Practice Guidance explains that the need to provide housing for older people is critical.
100. The Council explained that it does not have a policy in its development plan directed at active older people within the Class C3 use, although there is a policy concerning care accommodation. It was also unable to direct me, as part of the hearing discussion, to any permissions in past years where active older person housing had been permitted.
101. The scheme would provide ten units of housing for active older people, those 55 years of age and older. The accommodation would consist of terraced houses and two bungalows. These units would be arranged around a central courtyard, including a pétanque court. There would also be a small communal meeting room and outside seating areas associated with this part of the housing. The layout and facilities would provide an attractive environment and setting for the older persons housing. To ensure the units would be occupied by the intended cohort, these dwellings could be limited to those 55 years and older by way of a suitably worded condition in any approval.
102. The hearing statement, Delivery of Active Older Person Housing (November 2024) (Stuart Larkin and Associates Ltd), details and quantifies the need for such housing in the area. The units could provide older persons housing for those future occupants that would wish to be located in a more rural area, although still with reasonable access to Oxted and its facilities and services.
103. I am satisfied that the units would provide a type and location of housing for older persons that does not appear to be met at the present time. Furthermore, it could

likely free up family sized housing elsewhere by allowing some residents of the area to down size and stay within their wider community. While ten units would be modest in number, given the apparent lack of older persons housing and the identified need, the development would make a worthwhile and valuable addition to the stock. I consider that this should merit significant weight in favour of approval. The benefits from providing these dwellings which would be dedicated for older persons is an additional benefit over and above the provision of the housing units themselves.

Architectural quality

104. Paragraph 139 of the Framework explains, amongst other things, that significant weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help to raise the standard of design more generally in an area, so long as they fit with the overall form and layout of their surroundings.
105. The development proposal has been architect and landscape led, based on the distinctive characteristics of the location and influenced by some of the aspects of the existing buildings. The scheme inventively intertwines within the landscape a series of bespoke designed dwellings, including terraces, that often echo the proportions and profiles of agricultural buildings. The design seeks to subtly minimise the domestic appearance of the buildings, and the layout takes care to reduce the dominance, as far as possible, of vehicle parking and the related visual influence on street scenes. The mass of buildings would be broken up with views through and within the site, and the layout provides links with the open spaces and landscaped corridors. This cluster of buildings would have a range of interesting spaces and connections, with reasonably short lengths of road that are framed by imaginatively designed terraces and individual dwellings.
106. The mix of materials would provide some reference to agricultural buildings which would add a positive depth to the character of the development. The combination of design, form and layout, together with the integration of the types of housing tenancies to help build a mixed residential community, would be complemented by the character that would suit this rural context and discriminate this cluster of dwellings from more generic housing developments. It would be a distinctive development that would successfully integrate into its surroundings, physically, socially and visually.
107. I have carefully considered the views of local residents and those of the Council on these design matters. However, I give greatest weight to the evidence from Paul Finch and William Taylor and their detailed justification that supports the views on the quality of the scheme.
108. In conclusion, the combination of factors I have outlined above are such that the scheme should be considered an outstanding design that fits within the overall form and layout of its surroundings, and would raise the standard of design more generally in the area. I therefore attach the architectural quality of the scheme significant weight in favour of approval.

Character and appearance of the area

109. The farm building group is located within a wider area of open and undeveloped land, especially the countryside to the broadly west, south and east. It has a rural setting within gently, rolling countryside. The present buildings are prominent and

quite bulky features in the landscape. The scheme would result in a reduced and less bulky built form, together with an associated and extensive planting scheme. The result would be that the profile of the new buildings would sit more sympathetically within the rolling countryside, and while there would be a residential component to their appearance, in mid and longer distance views the changes would lead to a visual improvement to the wider character and appearance of the area.

110. The improvement to the visual appearance of the wider landscape would be modest and should be attributed limited to moderate weight in favour of approval. This positive change is distinct from the adverse localised effect on the heritage significance of the Conservation Area.

Open space

111. The scheme would provide an accessible open space which would be attractively landscaped with a water feature/wildlife pond, orchard, play area, fitness trail, wildflower meadows and residents' growing area. It would be a generous size relative to the size of the site and the number of houses, and would provide a positive feature that would complement the design and location of the residential development.
112. The open space would be available to occupants of the site, as well as existing local residents and others who may wish to visit, perhaps when combined with a local walk. There are already some other open spaces locally, such as the common, and taking all matters into account, the benefits arising from the open space should merit moderate weight in favour of approval.

Biodiversity Net Gain

113. The scheme would deliver a sizeable increase in Biodiversity Net Gain (BNG). The agreed figures show about an 80% increase in habitat units, about 100% increase in hedgerow units and about 15% uplift in watercourse units. This is a very worthwhile addition to biodiversity and the combination of different habitats across the site, linked with the location adjoining open countryside, mean that the increase in BNG should afford significant weight in favour of the scheme.

Economic and Social impacts

114. With the demolition of the agricultural buildings, the opportunity for them to be used for an economic farming purpose would be removed, although it is explained that they are redundant to this use in any case. The development would remove the mix of present activities on the site, including the business use in the Class E building, although it appears that the generally low key use of most of the barns do not have official standing.
115. On the other hand, the scheme would bring social and economic benefits to the local economy during construction and in subsequent occupation. Given the scale of the development and the resulting impacts from 29 households, the economic and social benefits should warrant moderate weight in favour of approval.

Sustainable construction and energy

116. The scheme has been designed to a high standard of sustainable construction with renewable energy generation included. However, while this is a positive

feature of the scheme, it is generally to be expected of high quality development, and therefore I attribute this limited weight.

Existing residential living conditions

117. The living conditions for the occupants of Constables Cottage and Perrysfield Farmhouse are compromised by the proximity of the adjoining, quite sizeable agricultural buildings. That effect would especially be the case were those and/or other buildings to be used again for the housing of livestock. The removal of these buildings and replacement with compatible residential use would lead to an improvement in the living conditions of the occupants of these existing residential properties. This is a benefit of the scheme, although modest in impact and therefore should be limited in weight.

Land contamination

118. The Phase 1 Geo-Environmental Assessment (BWB) (August 2022) analyses the potential for contaminants on the site. The Report concludes that there are limited potential sources of contamination, resulting in a moderate/low risk to human health. It is considered that the main driver for the risk rating is from the potential presence of hazardous ground gases, or localised shallow contamination within made ground or around the slurry pit. Some of the buildings appear to be constructed in part from asbestos sheeting.

119. If agricultural use of the site was to recommence in the future there appears to be little on-going risk. However, the potential contamination issues would need to be addressed in any residential scheme. The benefits, therefore, from addressing any contamination are to meet the needs of the development rather than addressing a pollution concern at the present time. Accordingly, I afford resolving any contamination of the site from the past agricultural activity limited weight in favour of approval.

Unilateral Undertaking

120. The appeal has been accompanied by a Unilateral Undertaking (UU) under section 106 of the Town and Country Planning Act 1990. The Council has confirmed that it is agreeable to the range of obligations.

121. In terms of affordable housing, the UU is worded so that, subject to my decision, the affordable housing could be provided on-site, or off-site by way of a financial contribution. I am clear that the affordable housing should be secured on-site by the provision of the 10 units. The affordable housing should, therefore, be provided in accordance with paragraph 1 of Schedule 1 of the UU. The on-site affordable housing provision, and the accompanying details, such as phasing, leasing arrangements, nominations, provisions in respect of Registered Providers are all necessary to make the development acceptable in planning terms and to meet the requirements of Policy CSP4 of the Core Strategy. I therefore confirm that paragraph 2 of Schedule 1 of the UU shall not apply (which would have allowed for a financial sum for off-site delivery).

122. The obligations concerning the marketing arrangements for the older person independent living units, subject to the Local Eligibility Criteria, are important aspects of meeting a local need for this housing. The provision of the related communal area is also a necessary obligation to provide the facilities that the

occupants of this housing would benefit from and are an integral part of the scheme.

123. The Open Space obligations, including timing for the provision of this space, the Open Space Management Plan, maintenance period, inspection procedure and the clauses which allow access, including public access, are important parts of the justification for the development and are necessary to make the development acceptable in planning terms.
124. The obligations in Schedule 2 of the UU, concerning the pedestrian improvements contribution, highway works, bus vouchers, permissive footpath and clause for the estate roads are all essential components of the development, both individually and collectively, and are necessary to make the scheme as sustainable from a transport perspective as is reasonably possible.
125. Consequently, I am satisfied that each planning obligation¹ alone and in combination, would be necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind to the development. The planning obligations would meet with the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010 and I attach them full weight.

Other Matters

126. I have taken into account the detailed representations objecting to the scheme and also those at the application stage which raised support. I listened carefully to the comments from local residents at the hearing. I have taken all these representations into account, including the traffic issues which have been raised, and I have addressed the key planning issues which are determinative in the analysis above and in my conclusions below.

Heritage, Green Belt and Planning Balances

Heritage balance

127. The residential scheme would not preserve or enhance the character or appearance of the Conservation Area, when considered as a whole. This harm would be to a low to moderate level of less than substantial harm. The new development would also harm the setting and related heritage significance of Perrysfield Farmhouse and the separately listed Granary. This harm would be at a very low level of less than substantial harm. The impact to Horse Engine Barn would be to a very minor level of less than substantial harm to its heritage significance. The result is that the duties under the Act would not be met and this is a matter of considerable importance and weight.
128. Overall, I assess that the combined harm to the significance of heritage assets would be to a low to moderate level of less than substantial harm. Paragraph 212 of the Framework requires that great weight should be attached to the asset's conservation and this is irrespective of the level of harm.
129. In accordance with paragraph 215 of the Framework, this harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal.

¹ In respect of the on-site affordable housing obligations, and not in terms of off-site provision.

130. It is also important to take into account that there would be heritage benefits resulting from the scheme, which should be considered as public benefits. These would include a low level enhancement to the setting of the two listed buildings from the removal of the functional agricultural buildings. Horse Engine Barn would be repaired and secured in its optimum viable use, for which Listed Building Consent has already been granted. There would be a low level of enhancement to the setting of Horse Engine Barn from the removal of the functional agricultural buildings, Class E building and the associated walls, storage containers and hard surfaces. The modest level of harm to the Conservation Area from the present agricultural buildings would be removed. These are all worthwhile heritage benefits that would accrue to these designated heritage assets that weigh in favour of the scheme.
131. Furthermore, I have outlined above a series of further benefits that the scheme would deliver, which I consider to be public benefits. These include the benefits from the additional housing (substantial weight), affordable housing supply (significant weight), housing for older persons (significant weight), architectural quality of the scheme (significant weight), benefits to the landscape (limited to moderate weight), open space provision (moderate weight), BNG (significant weight) and economic and social benefits (moderate weight). Additionally, there would be a considerable and appreciable increase in Green Belt openness resulting from the development, which I consider is a very weighty factor in favour of the proposal.
132. These considerable range of benefits, and their respective importance, combine to produce a coherent and high quality scheme. Collectively the attributes of the development are greater than their individual parts and overall, the benefits should be attributed very substantial weight in favour of approval.
133. I am satisfied that the harm to the designated heritage assets, even when attributing that harm great weight, would be clearly outweighed by the public benefits of the proposal. The heritage balance therefore falls in favour of the scheme and the heritage harm does not constitute a strong reason for refusal.
134. Furthermore, in terms of Policy DP20 of the Local Plan, concerning heritage assets, I am satisfied that the public benefits would significantly outweigh the harm to the designated heritage assets in this case. In coming to this judgment, I have had regard to the scale of benefits in proportion to the significance of the assets and the level of harm that would result. As a consequence, the scheme would comply with Policy DP20 of the Local Plan.

Green Belt balance

135. The conversion of Horse Engine Barn to a dwelling and the redevelopment of the business building to provide the house on plot 28 would not be inappropriate development on this Green Belt site. The erection of the other 27 dwellings would, however, constitute inappropriate development, which by definition is harmful and should merit substantial weight against the scheme.
136. The revised Framework has introduced the concept of Grey Belt and this is defined in the Glossary. I consider that the agricultural buildings on the site, in relation to the appeal scheme, would meet this definition. This is because while the majority of the site would not be previously developed land, it is other land that does not strongly contribute to any of the purposes (a), (b) or (d) in paragraph 143

and there are no areas or assets in footnote 7 (other than Green Belt) that would provide a strong reason for refusing or restricting the development.

137. When considering, the approach set out in Framework paragraphs 155 and 156, all but one of the tests would be met. In particular, the development would utilise Grey Belt land and not fundamentally undermine the Green Belt purposes of the remaining Green Belt across the plan area, there is a demonstrable unmet need for the type of housing proposed and the site should be considered a sustainable location for the scheme.
138. In terms of the Golden Rules the scheme would make the necessary improvements to infrastructure with the permissive footpath and bus stop, and would provide new good quality green space. In terms of Golden Rule (a), the affordable housing provision of 10 units would be development plan policy compliant, but at 34% would not meet the Golden Rule requirement of 49% in this case. The application was made before the revisions to the Framework were published, nevertheless, the scheme is five affordable units short of meeting this Golden Rule requirement and for this reason alone it cannot fall to be considered not inappropriate development.
139. Paragraph 153 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
140. In terms of harm, the vast majority of the scheme is inappropriate by definition. There is also harm to designated heritage assets, and the duties under the Act have not been met. This heritage harm should be attributed great weight against the scheme. However, as I have outlined above, there would be wide ranging benefits. These include that there would be a considerable and appreciable improvement to Green Belt openness from the proposal and this is a very weighty factor in favour.
141. Furthermore, about 94% of the Council area lies within the Green Belt. It is very likely, considering the very poor housing land supply, that Green Belt sites will need to be allocated or permitted for development to meet the housing needs of the area. The benefits of this Green Belt site are that it is land covered by buildings, albeit a site not falling within the definition of previously developed land, and in a sustainable location. This is a positive aspect of providing housing on this Grey Belt site.
142. I examined the benefits of the scheme in the heritage balance section of the decision above. Those benefits are wide ranging, considerable and worthwhile. They should be attributed very substantial weight in favour of approval.
143. In terms of the Green Belt considerations, I am wholly satisfied that the harm to the Green Belt by way of inappropriateness and the other harm, in this case heritage harm, is clearly outweighed by the other considerations, namely the combination of the wide ranging and worthwhile benefits of the scheme. Very special circumstances exist in this case, and consequently, there should be no objection to the scheme on Green Belt grounds.

144. In terms of the application of Policy DP10 of the Local Plan, as I have found that very special circumstances exist to justify the development, the scheme would meet with the policy exception for development in the Green Belt. The scheme is, therefore, compliant with this development plan Green Belt policy.

Planning balances

145. The Council has confirmed that it does not raise objection on locational grounds in terms of the development plan spatial strategy, specifically Policies CSP1 and CSP2 of the Core Strategy, which it accepts are out of date. Any conflict with these policies therefore carries very little weight.

146. There would be heritage harm and Green Belt harm for the reasons explained above. However, I have found that because the public benefits would significantly outweigh the heritage harm there would be compliance with Policy DP20 of the Local Plan. In terms of the Green Belt, there would be harm by reason of inappropriateness, however, I have found that very special circumstances exist and in these circumstances, the scheme would meet with the requirements of Policy DP10 of the Local Plan, concerning Green Belt.

147. The development would also accord with Policy CSP4 of the Core Strategy meeting the requirement for affordable housing and there would be no conflict with development plan policies concerning other planning issues including for transport sustainability, landscape and design quality. The scheme would, therefore, comply with the development plan when considered as a whole.

148. Because of the Council's housing land supply position, the requirements of paragraph 11d of the Framework are engaged. The heritage and Green Belt impacts do not provide a strong reason for refusing the development proposed. I am satisfied that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This is especially the case when regard is had to directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes. The scheme is strong in these respects. The proposal, therefore, represents sustainable development within the meaning of the Framework.

149. The scheme would comply with the development plan when considered as a whole and material considerations do not indicate that a decision should be made other than in accordance with the development plan. Indeed, that the scheme would represent sustainable development in terms of the Framework is a material consideration that weighs to a substantial extent in favour of approval. Planning permission should therefore be granted.

Conditions

150. I have had regard to the conditions suggested by the Council and the advice in the Planning Practice Guidance. I have amended the wording where necessary in the interests of clarity or to meet the tests in the Guidance. The statutory time limit is required and a condition specifying the approved plans is necessary in the interests of certainty.

151. Conditions (3 and 14) concerning sustainable drainage are necessary in the interests of good practice and to prevent flooding. Condition 4 is necessary to

address issues of contamination in the interests of pollution control and to provide suitable living conditions for future residents. A Construction Environmental Management Plan (condition 5), a Landscape and Ecological Management Plan (condition 6) and a Construction Transport Management Plan (condition 7) are all required to address these respective issues in the interests of best practice, and minimising the effects of the scheme on the area and local residents.

152. Conditions (8, 9 and 17) are required in the interests of highway safety and the provision of suitable parking to serve the development. Conditions (10 and 11) are necessary to address any impacts on great crested newts. A condition (12) is necessary to ensure that external materials are submitted and agreed in the interests of the visual amenities of the Conservation Area. The application is accompanied by a detailed landscaping scheme and condition 13 is necessary to ensure that that this scheme is implemented and maintained in the interests of the visual amenities of the area.
153. It is necessary, to help maximise the sustainability of the site, that dwellings are provided with solar PV panels (condition 15), air source heat pumps (condition 21), electric vehicle charging points (condition 18) and for space to be made available for parking and charging points for bicycles (condition 19). It is necessary for a condition to require and seek implementation of an external lighting scheme (condition 16) in the interests of the amenities of this area and the protection of wildlife. To protect and enhance wildlife it is necessary for the scheme to be developed in accordance with the recommendations and mitigation measures in the Ecological Appraisal (The Landmark Practice September 2023) (condition 20).
154. Condition 22 is necessary to control the occupation of the older people living accommodation to help meet this need for housing and to accord with the terms of the application. Exceptionally, the specified permitted development rights should be removed, and brought within planning control, to ensure that the outstanding architectural quality of the scheme is not undermined by minor and/or incremental changes (conditions 23 and 24).
155. Condition 25 is necessary to ensure that any archaeology is investigated and recorded in the interests of the heritage significance of the site. Condition 26 is necessary to ensure that the benefits of converting and putting the Horse Engine Barn to its optimal viable use are realised as part of the scheme.

Conclusion

156. For the reasons explained above, I conclude that, subject to the UU and the listed conditions, the appeal should be allowed.

David Wyborn

INSPECTOR

APPEARANCES

FOR THE APPELLANT

Matthew Reed KC	Counsel for Knightwood Developments Ltd
Robert Gillespie BA(Hons) MRTPI	Impact Planning Services Ltd
Anthony Booth BA(Hons) MSc MRTPI	Impact Planning Services Ltd
Haydn Short MRICS FAAV	Knightwood Developments Ltd
Matt Corner BA(Hons) MCIHT	BWB Consulting
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Ignus Froneman B.Arch Stud ACIfA IHBC	Cogent Heritage
George Harley BA(Hons) MA CMLI	WH Landscape Consultancy Ltd
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FOR THE LOCAL PLANNING AUTHORITY

Paul Batchelor MPlan MRTPI	Tandridge District Council
Peter Lee Dip Geog BA (Hons)	Tandridge District Council
Christopher Reynolds BA MA MSc IHBC	Surrey County Council
Serena Perez-Storey MA MSc	Surrey County Council
James Lehane MCIHT	Surrey County Council
Carol Snowden	Tandridge District Council

INTERESTED PARTIES

Louise Jones	Local Resident
Dr Mark Stringer	Local Resident

Schedule of Conditions

- 1) The development hereby permitted shall start not later than the expiration of 3 years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following drawings numbers: 1911_17_001_B, 1911_17_005_A, 1911_17_008_-, 1911_17_009_-, 1911_17_010_-, 1911_17_011_-, 1911_17_012_-, 1911_17_013_-, 1911_17_015_-, 1911_GA_S_004_D, 1911_GA_S_008_C, 1911_GA_220_B, 1911_GA_221_B, 1911_GA_222_B, 1911_GA_223_A, 1911_GA_300_A, 1911_GA_305_-, 1911_GA_310_A, 1911_GA_315_A, 1911_GA_320_B, 1911_GA_321_A, 1911_GA_322, 1911_GA_330_A, 1911_GA_331_A, 1911_GA_340_A, 1911_GA_350_B, 1911_GA_360_C, 1911_GA_361_C, 1911_GA_365_D, 1911_GA_366_B, 1911_GA_370_-, 1911_GA_380_D, 1911_GA_381_D received 12th October 2023, 1911_OS_001_C, 1911_GA_S_002_D, 1911_GA_S_003_E, 1911_GA_S_004_E, 1911_GA_S_005_E, 1911_GA_S_006_D, 1911_GA_200_D, 1911_GA_201_D, 1911_GA_202_D, 1911_GA_203_D, 1911_GA_020_G, 1911_GA_021_E, 1911_GA_022_E, 1911_03_001_A, 1911_GA_001_N, 1911_GA_390_D, 1911_GA_S_001_D, 1911_GA_S_007_D, 1911_GA_S_008_C, 3161-TLP-XX-XX-DR-L-10001 Rev I received 15th February 2024, PFO-BWB-GEN-XX-DR-TR-103 Rev P2 received 19th March 2024.
- 3) The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non- Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
 - a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+45% allowance for climate change) storm events and 10% allowance for urban creep during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 5.1l/s.
 - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
 - c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
 - d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
 - e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

- 4) At least 28 days before the development hereby permitted commences, a detailed written scheme of contamination assessment consisting of site reconnaissance, conceptual model, risk assessment and schedule of investigation shall be submitted to and approved in writing by the Local Planning Authority. Before commencement of development above ground, the scheme of assessment shall be carried out at such points and to such depth as the District Planning Authority may reasonably stipulate, including suitable consideration of Asbestos. All laboratory results shall be provided as numeric values in an electronic formatted spreadsheet in accordance with the standards of the Government Guidance for Land affected by Contamination. A scheme for decontamination and validation shall then be agreed in writing by the District Planning Authority and the scheme as approved including provision of suitable soft landscaping where necessary shall be implemented before any part of the development hereby permitted is occupied.
- 5) Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP should include, but not be limited to:
 - a) Map showing the location of all the ecological features
 - b) Risk assessment of the potentially damaging construction activities
 - c) Practical measures to avoid and reduce impacts during construction
 - d) Location and timing of works to avoid harm to biodiversity features
 - e) Responsible persons and lines of communication
 - f) Use of protective fences, exclusion barriers and warning signs

Subsequently, the development shall only be undertaken in accordance with the approved CEMP, all measures set out within the approved CEMP shall be implemented prior to the first use of the building and retained at all times thereafter.

- 6) Prior to the commencement of development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP should be based on impact avoidance, mitigation and enhancement measures and should include, but not be limited to the following:
 - a) Description and evaluation of features to be managed
 - b) Ecological trends and constraints on site that might influence management
 - c) Aims and objectives of management
 - d) Appropriate management options for achieving aims and objectives
 - e) Prescriptions for management actions, together with a plan of management compartments
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)

- g) Details of the body or organisation responsible for implementation of the plan
- h) Ongoing monitoring and remedial measures
- i) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.
- j) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The development shall only be undertaken in accordance with the approved LEMP.

- 7) No development shall commence until a Construction Transport Management Plan (CTMP), has been submitted to and been approved in writing by the Local Planning Authority. The CTMP shall include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) provision of boundary hoarding behind any visibility zones
 - (e) HGV deliveries and hours of operation
 - (f) measures to prevent the deposit of materials on the highway
 - (g) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
 - (h) no HGV movements to or from the site shall take place between the hours of 8.30am and 9.15 am and 3.15pm and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Broadham Green Road, Southlands Lane or Gibbs Brook Lane during these times
 - (i) on-site turning for construction vehicles or use of a Banksman has been submitted to and approved in writing by the Local Planning Authority.

The development shall only be undertaken in accordance with the approved CTMP.

- 8) Prior to first occupation of any dwelling, the proposed access junctions onto the public highway shall be constructed in accordance with the following plans:
- a. Drawing Number PFO-BWB-GEN-XX-DR-TR-102_S2-P2
(Primary access point from Gibbs Brook Lane)

- b. Drawing Number PFO-BWB-GEN-XX-DR-TR-103_S2-P3 (Farmhouse access from Gibbs Brook Lane);
 - c. Drawing Number PFO-BWB-GEN-XX-DR-TR-103_S2-P3 (Constables Cottage access from Southlands Lane).
- 9) Prior to proposed site access c) above together with that intended to serve the pumping station being constructed, a Stage 2 Road Safety Audit shall be undertaken and subsequent Design Team response. The detailed content of the Audit and Response are to be agreed with Tandridge District Council and Surrey County Council beforehand within an Audit Brief to ensure there would be no material detriment to the safe operation of the public highway, in accordance with any necessary additionally detailed plans to be submitted to and approved by the Local Planning Authority. Thereafter, all visibility zones provided with the accesses intended to serve the site shall be kept permanently clear of any obstructions over 1.05 metres above ground level.
- 10) No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR146, or a 'Further Licence') and with the proposals detailed on plan "Perrysfield Farm: Impact Plan for great crested newt District Licensing (Version 1)", dated 26th February 2024.
- 11) No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR146, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence. The delivery partner certificate must be submitted to the local planning authority for approval prior to the commencement of the development hereby approved.
- 12) No development above ground level shall take place until details / samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details / samples.
- 13) All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with the Landscape General Arrangement (drawing number :3161-TLP-XX-XX-DR-L-10001 Rev I) during the first planting and seeding season following the completion or occupation of any part of the development (whichever is the sooner). Any trees or plants (including those retained as part of the development) which within a period of 5 years from the completion of the development die, are removed, or, in the opinion of the Local Planning Authority, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The hard landscape works shall be carried out prior to the first occupation of the development.
- 14) Prior to the first occupation of any dwelling, a verification report carried out by a qualified drainage engineer shall be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage

system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

- 15) Before each dwelling hereby approved is occupied the Solar PV panels as specified in the application details shall be installed, and this system shall thereafter be retained in accordance with the approved details.
- 16) Details of any external lighting; including details of the lighting units and light spread, shall be submitted to and be approved by the Local Planning Authority in writing prior to any such provision on the site. The details shall be accompanied by a Sensitive Lighting Management Plan which sets out the measures to be taken to minimise the impact of any lighting on the area. No external lighting, other than the approved scheme, shall be installed on the site.
- 17) No dwelling hereby approved shall be first occupied unless and until space has been laid out within the site in accordance with the approved plans, drawing number 1911_GA_001_N, for vehicles to be parked in association with that dwelling and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.
- 18) No dwelling hereby approved shall be occupied unless and until that dwelling has been provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted to and be approved in writing by the Local Planning Authority and thereafter an Electric Vehicle charging point shall be retained and maintained for each dwelling.
- 19) No dwelling shall be first occupied unless and until facilities for the secure, covered parking of bicycles and the provision of a charging point for e-bikes by said facilities have been provided within the development site for that dwelling in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the said approved facilities shall be provided, retained and maintained.
- 20) The development hereby permitted shall be carried out in strict accordance with the recommendations and mitigation measures set out in the Ecological Appraisal (The Landmark Practice September 2023).
- 21) Prior to the occupation of any dwelling, a scheme with details of and for the installation of air source heat pumps, including details of the sound rating levels and maximum noise levels at identified points in relation to noise sensitive neighbouring properties, shall be submitted to and be approved in writing by the Local Planning Authority. The air source heat pumps for each property shall be installed prior to the first occupation of that dwelling and shall operate in accordance with the approved scheme.
- 22) The older people living accommodation, identified as plots 18-27 on Drawing No. 1911_GA_001_N, shall not be occupied other than by at least one person over

55 years of age and as their primary place of residence, together with any dependent relatives and/or carers.

- 23) Notwithstanding the provisions of Classes A-E (inclusive) and Class H of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no enlargement, alteration or improvement of any dwellinghouse, including the painting or staining of any external elevations in a different colour, nor any new buildings erected within its curtilage, shall be undertaken at any time.
- 24) Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no gate, fence, wall or other means of enclosure shall be erected, constructed or placed in any location around any dwellinghouse or curtilage, at any time, without the prior express planning permission of the Local Planning Authority, other than those means of enclosure shown on the approved plans.
- 25) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with an Archaeological Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. No development shall take place other than in accordance with the approved Archaeological Scheme of Investigation. No part of the development shall be occupied until the site investigation and post-investigation assessment has been completed in accordance with the programme set out in the Archaeological Scheme of Investigation.
- 26) No more than 50% of the new build residential units shall be occupied until the Horse Engine Barn is capable of residential occupation.

End of Schedule