

JOINT PLANNING COMMITTEE - 10TH MARCH 2010

WA/2008/1734
Hall Hunter Partnership
08/09/2008

Change of use of agricultural land to use for siting of cavavans and mobile homes for occupation by agricultural workers together with associated engineering works (alternative application - Scheme 1) at land at Tuesley Farm, Tuesley Lane, Godalming
GU7 1UG (as amplified by email dated 18.11.08)

Grid Reference:

E: 496395 N: 141877

Parish :
Ward :
Case Officer:

Busbridge Hambledon
Bramley, Busbridge and Hascombe
Mrs H Hobbs

8 Week Expiry Date
Neighbour Notification Expiry Date

08/12/2008
24/10/2008

RECOMMENDATION

That permission be GRANTED subject to a 106 legal agreement and subject to conditions.

WA/2008/1735
Hall Hunter Partnership
08/09/2008

Alterations and change of use of agricultural buildings to provide living accommodation for agricultural workers at land at Tuesley Farm, Tuesley Lane, Godalming
GU7 1UG (as amended by email dated 20.11.08)

Grid Reference:

E: 496395 N: 141877

Parish :
Ward :
Case Officer:

Busbridge Hambledon
Bramley, Busbridge and Hascombe
Mrs H Hobbs

8 Week Expiry Date
Neighbour Notification Expiry Date

08/12/2008
24/10/2008

RECOMMENDATION

That permission be GRANTED subject to a 106 legal agreement and subject to conditions.

Background

Members will be aware that the Council's decision to grant planning permissions for WA/2007/1962 for the erection of up to 20ha of polytunnels on a rotational basis within defined areas on the 190ha agricultural holding on

land at Tuesley Farm was the subject of a judicial challenge. The judicial challenge was adjourned 3 days before it was due to be heard in the High Court following discussions between the local residents who had made the challenge and the Harry Hall Partnership (HHP)/Tuesley Farm. These two parties agreed to draw up an agreement, which did not involve the Council, as a result of which the judicial challenge has now been formally withdrawn. The planning permission for the polytunnels therefore stands and there are no further opportunities for it to be challenged.

Members will recall that on 1 December 2008 4 planning applications relating to development at Tuesley Farm were considered by the Joint Planning Committee. The applications related to:

- WA/2008/1734 – change of use of agricultural land to use for the siting of mobile homes for occupation by agricultural workers together with associated engineering works. (The Committee resolved to grant permission subject to a 106 Agreement. The decision notice has not been issued)
- WA/2008/1735 – Alterations and change of use of agricultural buildings to provide living accommodation for agricultural workers. (The Committee resolved to grant permission subject to a 106 Agreement. The decision notice has not been issued)
- WA/2008/1736 – erection of agricultural building of approximately 1725 sq. m. for packaging/refrigeration of soft fruit following demolition of existing agricultural buildings. (The Committee resolved to grant permission. The decision notice issued on 2 December 2008).
- WA/2008/1737 – erection of building of approximately 2689 sq. m. to provide living accommodation for agricultural workers. (The Committee resolved to refuse permission. The decision notice was issued on 2 December 2008).

Applications WA/2008/1734 (caravans/mobile homes) and WA/2008/1735 (barn conversions) required the applicant to enter into a Section 106 Agreement relating to a travel plan and the payment of a monitoring fee for that plan. The Council was not able to issue the decision notices until the agreements had been completed. Before the decision notices had been issued the Council was advised of a second application for a judicial challenge in respect of WA/2008/1734 and WA/2008/1735. The claimants argued that the planning applications for the accommodation for the workers should not have been considered by the planning committee before the outcome of the judicial review in respect of application WA/2007/ 1962 had been heard.

The Council, after seeking advice from Leading Counsel, responded to the High Court. As part of the response, the Council undertook to take planning applications WA/2008/1734 (caravans/mobile homes) and WA/2008/1735 (barn conversions) back to the Planning Committee after the outcome of the judicial review in respect of WA/2007/1962 (the polytunnels) had been made known. In the event the judicial review was withdrawn but given the length of time since the original committee resolution and given that planning policy has changed, by the adoption of the South East Plan and the publication of PPS4,

officers consider that it is appropriate for the two applications relating to the accommodation to be reconsidered by the Committee.

Applications WA/2008/1734 (caravans/mobile homes) and WA/2008/1735 (barn conversions) are therefore being brought back to members for consideration. It is important to note that the previous resolutions to grant planning permissions for these developments, subject to a 106 agreement and subject to conditions, are important material considerations. The Section 106 Agreements have now been completed. Members need to afford significant weight to their previous resolutions and consider whether there has been any material changes in planning circumstances that should result in a different decision being made.

Updated Report

These applications need to be considered in the context of planning permission WA/2007/1962 for the erection of up to 20ha of polytunnels on a rotational basis within defined areas on the 190ha agricultural holding on land at Tuesley Farm. The permission was subject to a 106 Legal Agreement which imposed, amongst other matters, detailed control on the extent and positioning of the polytunnels and removes permitted development rights to use the land for the siting of caravans. That permission has now been implemented.

Members will recall that the decision to grant WA/2007/1962 was made following detailed consideration of the relevant policies and consideration of the Inspector's report (copy attached as Appendix 1) relating to the issuing of two enforcement notices by the Council in respect of:

1. The erection of polytunnels.
2. The change of use of the land from agriculture to stationing of caravans.
3. The formation of an earth bund and erection of a fence.
4. Engineering works for the provision of services to the caravans.
5. The erection of windbreaks.
6. The erection of fencing on top of the earth bund.

Planning permission WA/2007/1962 dealt with the issues relating to the polytunnels. Accommodation for the agricultural workers was not part of the consideration in respect of WA/2007/1962.

It is important to understand that although the Inspector in 2005 found in favour of the Council in respect of the change of use of the land from agriculture to stationing of caravans, he took this decision at a time when the polytunnels were unauthorised. The Inspector considered in detail (paragraphs 78 to 104 of the Decision letter) whether or not the caravan site

would be permitted by reason of the General Permitted Development Order (GPDO). The Inspector concluded that the development would not be permitted development (PD).

In paragraphs 172-190 of his decision letter, the Inspector considered the issues relating to the use of land for the stationing of caravans and the related engineering operations. The Inspector identified four main issues:

- (1) Whether inappropriate development in the Green Belt.
- (2) and (3) Effect on character and appearance of the locality and effect on living conditions of nearby residents and on uses of the local highway network.
- (4) Whether other material factors including benefits would outweigh harm.

In respect of (1) the Inspector stated: "These developments fall to be considered in the light of the presumption against inappropriate development in the Green Belt found in SP Policy LO4 (note this policies have been superseded by policy SP5 of the South East Plan), LP Policy C1 and PPG2. Such inappropriate development will not be permitted unless very special circumstances exist". The Inspector also concluded that the fence amounted to inappropriate development in the Green Belt.

The Inspector's conclusion on 2 and 3 was that "the fence and bund would be unacceptable in terms of their scale, height, form appearance and design and would fail to protect the intrinsic qualities and character of the countryside contrary to SP Policies LO4, LO5, SE4 (superseded by South East Plan Policies) and LP Policies D1 and D4. Moreover, the impact of the development would fail to maintain the openness of the Green Belt, contrary to LP Policy C1. It follows therefore that the caravan site, the bund and the services required only for the purposes of facilitating the residential use of the caravan site, would all be inappropriate development in terms of Green Belt policies of the development plan and PPG2".

In respect of 4 (other material factors) the Inspector stated; "Paragraph 3.2 of PPG2 points out that inappropriate development is, by definition, harmful to the Green Belt and the onus is on the appellant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness is clearly outweighed by other considerations".

The Inspector went on to say that; "By SP Policy LO4 and LP Policy RD10, development will be permitted where it is required or is reasonably necessary for agriculture or horticulture, but subject to the safeguards set out in LP Policy RD10 that include the protection of the character and appearance of the area".

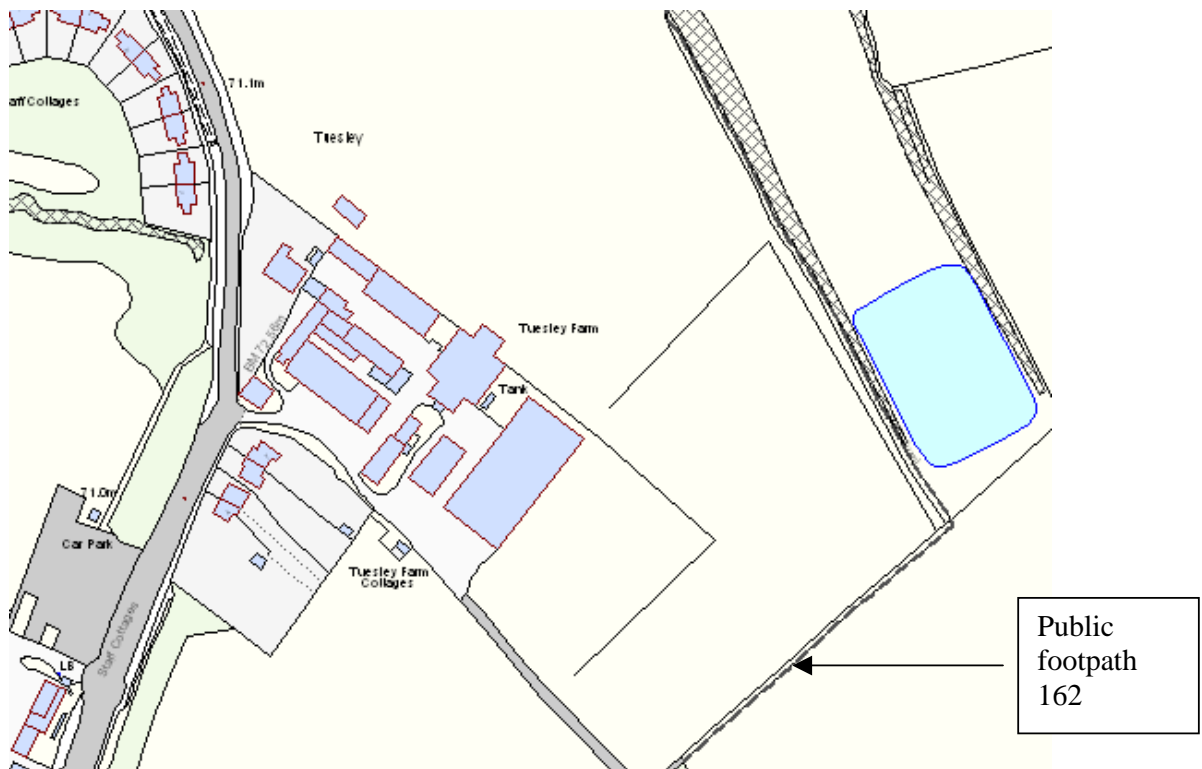
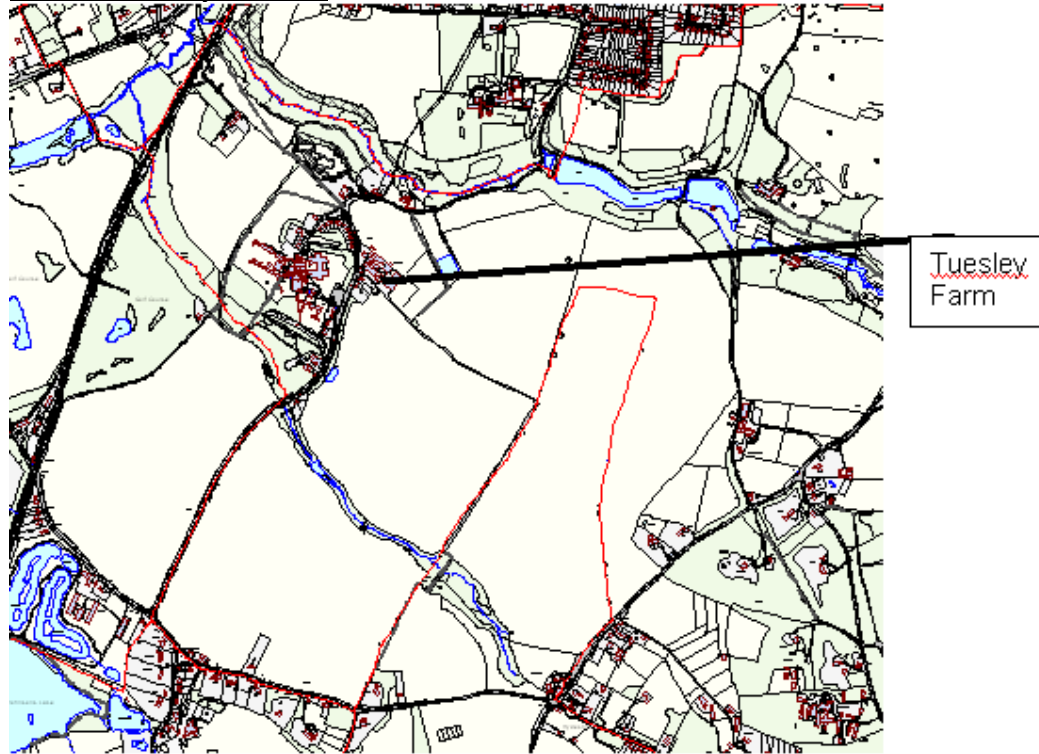
The Inspector went on to consider relevant local and national policies relating to agricultural accommodation and diversification. At the time, some of the workers living at Tuesley Farm were working elsewhere (this is no longer the case except in respect of land used by the applicant for growing in the locality). The Inspector considered that the evidence of a lack of any alternative accommodation was far from robust.

In paragraph 189 the Inspector stated: "Justification for the caravan site would be substantially dependent on the continuing presence of the polytunnels, without them, there is no evidence that would justify the continuing presence of the caravan site at Tuesley Farm". The Inspector's final conclusion in respect of the caravans was that; "Taken together, the matters advanced as very special circumstances proffered in support of the development the subject of Appeal A (use of land for stationing of caravans, bund, fence and engineering works for the provision of services to the caravans) would not be of sufficient strength to clearly outweigh the overriding harm to the character and appearance of this area of acknowledged attractiveness within a designated Green Belt".

The Inspector dismissed the appeal for both enforcement notices. The notices would have come into effect on 15 December 2007, but Members agreed to extend the period of compliance until 15th December 2008, to allow the applicant to submit planning applications for alternative residential schemes. If Members do not accept the Officers' recommendations the enforcement notices will come into effect immediately (except those parts that have been granted planning permission by virtue of the granting of planning permission WA/2007/1962).

Members will note that this current proposal has evolved through discussions held by the applicant with the local community and the planning authority including a Development Control Consultative Forum. The central question is whether the proposals in this application avoid the harm on the area that was identified in the enforcement notices and endorsed by the Inspector.

Location or Layout Plan



Tuesley Farm comprises approximately 190 hectares of land to the east of Milford Station and south of the southernmost extent of the built-up parts of

Godalming. The holding is divided into unequal parts by Tuesley Lane in a north-south direction. To the west of Tuesley Lane the land is farmed organically and the land is outside the AGLV designation. The land to the east is not specifically organic.

Three public footpaths run through or are adjacent to the farm from which views of the farm and its activities can be seen. Public footpath (FP162) passes through the centre of the eastern portion of the farm. It runs from Tuesley Lane opposite Tuesley Manor zigzags through the farm through Shadwell Copse, a band of woodland on either side of a small stream which crosses the site in roughly south-east/north-west direction and joins Station Road close to a property known as Enton Dene.

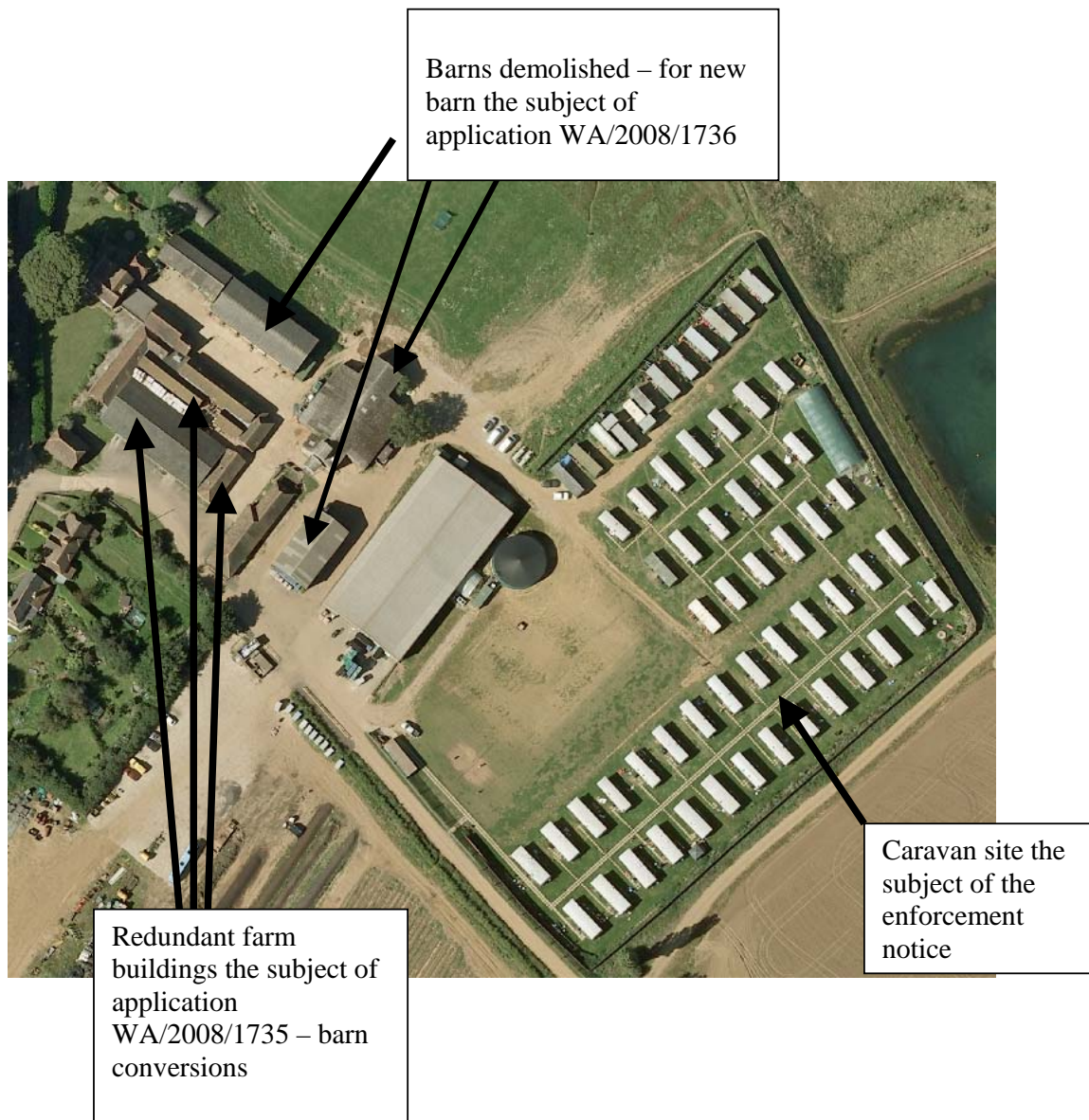
Public Footpath 161 passes along the north-western boundary of the farm from Milford Station and then passes alongside the railway line, then alongside the golf course before passing to the west of Milford Hospital and joining Tuesley Lane to the north of the Hospital's land.

Public Bridleway (BW163) provides access from Hambledon Road along part of the eastern boundary of the farm. It passes to the west of Clock Barn Farm before passing into woodland and descending into the valley occupied by Busbridge Lakes. In addition a new path has been provided as part of WA/2007/1962 (the polytunnel application) to link Tuesley Lane with Station Road close to the Hydestile Crossroads.

Tuesley Lane passes through the farm holding. Station Lane/Station Road and Hambledon Road border on the southern and eastern boundaries of the farm.

Aerial photographs show that until recently Tuesley Farm was essentially three fields in an open landscape. The Hall Hunter Partnership (HHP) has owned the farm since 2003. Hedges have been planted some of which have been associated with the Countryside Stewardship System (CSS) and, in addition, a number of windbreaks (alders and poplars) have been planted to provide an element of shelter to the crops. The planting of native hedgerows, beetle banks and windbreaks and, in some places, field margins of species rich grassland, have split the holding up into approximately 26 smaller fields and provided habitats for native flora and fauna.

The farm is run from a complex of buildings which encompass a range of traditional buildings, a farmhouse, together with more recent barns, some of which are no longer fit for purpose. The barn the subject of application WA/2008/1736 is currently being erected. The aerial photograph shows the site as it was in 2007 which is essentially as it is today. The works associated with the caravan site are the subject of enforcement notices as explained elsewhere in this report.



The report covers two planning applications. The aim of the Hall Hunter Partnership (HHP) is to provide suitable accommodation for agricultural workers using a combination of accommodation located within existing barns and the continuation of use of land for the stationing of mobile homes/caravans with appropriate landscaping. A new hostel type building (WA/2008/1737 was refused).

Relevant Planning History

WA/2010/0119	Erection of extensions and alterations following demolition of existing buildings; change of use of and alterations to agricultural buildings for residential ancillary use; change of use of land and formation of new vehicular access and driveway.	Pending Decision
WA/2009/1827	Construction of a winter storage reservoir.	Pending Decision
WA/2009/0889	Variation of condition 7 of WA/2007/1962	Full Permission

	to allow for a revised route of the permissive route known as "Quiet Lane" and to restrict its use to a footpath for pedestrians only.	22/09/2009
WA/2009/0465	Erection of extensions and alterations following demolition of 2 existing outbuildings.	Full Permission 22/05/2009
WA/2008/1737	Erection of building of approximately 2680 sq m to provide living accommodation for agricultural workers (scheme 2).	Refused 02/12/2008
WA/2008/1736	Erection of agricultural building of approximately 1725 sq m for packaging/refrigeration of soft fruit following demolition of existing agricultural buildings. (As amended by plans received on 19.11.08.)	Full Permission 02/12/2008
WA/2007/1962	Erection of up to 20 ha. of polytunnels on a rotational basis within defined areas on the 190 ha. agricultural holding	Granted 28.8.08 (subject to 106 Legal Agreement)
EN/2004/8	Enforcement Notice – without planning permission (a) the change of use of land from agriculture to stationing of caravans; (b) the formation of a bund and erection of a fence; (c) engineering works for the provision of services to the caravans	Appeal dismissed 15.12.05 High Court challenge dismissed 15.12.06
EN/2004/9	Enforcement Notice – without planning permission (i) the erection of polytunnels (ii) the erection of tall windbreaks (iii) the creation of an earth bund (iv) the erection of fencing on top of the earth bund (v) engineering works associated with the provision of services for the caravans	Appeal dismissed 15.12.05 High Court challenge dismissed 15.12.06
WA/1989/0692	Erection of storage building	Granted 4/7/89

Development Plan Policies and Proposals

South East Plan 2009 - Policies

- SP5 - Green Belts
NRM5 - Conservation and Improvement of Biodiversity

- NRM11 - Development Design for Energy Efficiency and Renewable Energy
- C4 - Landscape and Countryside Management
- CC4 - Sustainable Design and Construction

Waverley Borough Local Plan 2002 – Policies:-

- D1 – Environment Implications of Development.
- D3 - Resources
- D4 – Design and Layout.
- C1 – Development in the Green Belt outside settlements.
- C3 – Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value.
- LT11 – Walking, Cycling and Horseriding.
- RD7 - Re-use and Adaptation of Buildings in Rural Areas
- RD9 – Agricultural Land.
- RD10 – Agricultural Development.

- M2 – The Movement Implications of Development.
- M4 – Provisions for Pedestrians.

It should be noted that as the applications relate to agriculture the developments do not trigger the Council's infrastructure tariff.

Planning Policy Constraints

Wealden Heaths I SPA 5km
 Green Belt – outside of any settlement
 AGLV

Application WA/2008/1734

Change of use of agricultural land to use for siting of mobile homes for occupation by agricultural workers together with associated engineering works (alternative application - scheme 1) at land at Tuesley Farm, Tuesley Lane, Godalming GU7 1UG (as amplified by email dated 18.11.08)

Description of the Proposal

The application relates to 0.55 ha of land immediately to the south east of the main farm buildings. The site area proposed is smaller than the 0.96 ha currently used for the stationing of mobile homes/caravans and is located within the land that is the subject of the enforcement notice (see aerial photograph).

The applicant has applied to change the use of the land for the stationing of mobile homes. The types of mobile home on the site have wheels and tow bars but cannot be towed on the road and need to be moved on and off the site using a low loader lorry.

The site is relatively level and is currently enclosed by an earth bund and close boarded fence which are required to be resolved in accordance with the enforcement notices. The mobile homes/caravans are attached to services (water/sewage/electricity) and are occupied when necessary by agricultural workers employed on the farm for picking fruit and other activities associated with the farming operation at Tuesley Farm.



The applicant has submitted cross sections and photomontages to show the relationship of the proposed planting to the mobile homes and the level of screening over time.

The enforcement notice requires the removal of the existing earth bund and close boarded fence. In order to provide an element of screening to the mobile homes/caravans until the new trees and other planting become established, the applicant has agreed to put a green netting screen between the mobile homes/caravans and the new planting area. Officers consider that this will lessen the visual impact of the mobile homes/caravans until the planting has become established. It will be less visually intrusive than the existing close boarded fence and will also reduce the impact of the wind on the site while the planting becomes established. The netting could be removed once the planting becomes established.

The applicant has also agreed to paint the mobile homes/caravans in a colour to be agreed so that they are less intrusive in the landscape. A condition is recommended to cover this point.

The application is accompanied by an agricultural assessment which describes the nature of the agricultural enterprise and makes the following points in relation to the need for staff accommodation:

- soft fruit needs to be picked by hand which requires labour and hiring and retention of good staff with proper housing
- soft fruit is picked in the morning and late afternoon/evening
- crops are weather dependent and require staff on site
- on farm accommodation essential to ensure:
 - proper management of staff
 - care of staff
 - minimising transport
 - quality of accommodation
 - flexibility of working hours.
- any farm business relies on its staff to be successful. Tuesley Farm has an excellent reputation for staff welfare.

The following additional points are made in support of Tuesley Farm.

- Now less than 1,000 genuine active farms in Surrey – need to support farmers.
- Tuesley Farm/HHP are recognised as national leaders.
- Farm is carbon positive.

- Materials are recycled.
- Direct employment for approximately 300 people during the year. Whilst most of these are students from overseas, efforts are being made to recruit locally.
- Reducing air miles.
- HHP now producing blueberries which saves a need to import.

The applicant has provided the following information in relation to travel and sustainability. The following factors are relevant and based on the applicant's practical experience over the past 5 years of accommodating workers at Tuesley Farm.

- The labour profile on the farm fluctuates widely over the year, typically peaking in early June, late July and late August. At such times some 250-300 employees may be present. By contrast, during November, December and January there are normally only about 4 workers on the farm.
- Six different soft fruit crops are grown at Tuesley each with differing seasons thus adding a further variable to the labour pattern.
- The majority of seasonal workers employed at Tuesley are recruited in Poland and their travel arrangements to and from UK are undertaken by Hall Hunter Partnership (HHP). Most workers are students and are employed for 6-8 weeks and many will typically work at Tuesley over 2 or 3 years during their vacations. Over the year there are typically 5 or 6 different work forces that come and go from the farm.
- The terms of employment at Tuesley Farm stipulated by HHP prohibit temporary staff from keeping any motor car on the site.
- HHP provide 50 bicycles, which are available on site for use by workers.
- HHP run a daily private coach/minibus from the farm to Godalming for shopping trips by worker.
- Local bus and train services can be accessed on foot within reasonable walking distance of the farm.
- HHP provide recreation facilities on site for workers in the form of sports areas and social events.

The need of the workers for picking is clear and it is our belief that the transport issues created by moving 250 people onto site at 5am, off at 11 am back in the afternoon and back home at 8pm in line with picking practices would cause a significant traffic issue and disruption to the local community when compared to the proposals in front of the Council.

The applicant has supplied the following additional information in respect of their search for accommodation in the area (email dated 1.12.08):

"We have repeatedly asked all known possible providers of alternative accommodation within an approx. 10 mile radius of the farm. This has included Surrey University, Guildford YMCA and a number of caravan sites.

Despite a number of approaches over the last 3 years we have never received a positive response to these requests.

It should not be forgotten though that the travel implications of transporting up to 250 people on and off the site 2 – 4 times a day at unsocial hours would cause significant unnecessary disturbance to the local community, all of which has not been an issue over the last 5 years. Furthermore, our ability to manage and care for our staff residing on the farm has been shown to be very effective with no issues over the last 5 years. This speaks for itself – the current system works and affects no one. Any alteration from the status quo can only go backwards as regards provisions for our staff and the local community.

Correspondence has also taken place regarding the use of the nursing home at Milford Hospital. This would obviously be ideal but the people controlling the site were and are unwilling to allow us to use their facilities for our workforce. The site is clearly marked for development so the likelihood of this situation changing is very unlikely.”

Consultations and Parish Council Comments

Busbridge Parish Council

Scheme 1(the caravans/mobile homes) is considered by Busbridge Parish Council to be the lesser of two evils and therefore the Council does not wish to raise any objection to the application.

Hambledon Parish Council

Hambledon Parish Council has reviewed these four applications (includes reference to applications for new barn and hostel accommodation) and comments as follows.

The Parish Council has always supported the continuation of farming on this site and recognises that any financially viable operation will have to take advantage of non-traditional farming practices. In the case of a soft fruit farm, these include polytunnels, production facilities and accommodation for seasonal workers and at Tuesley Farm solutions are needed.

The Parish Council supported the application to erect polytunnels on the site and has since been pleased to note the steps, which have, been taken, in response to neighbourhood concerns, to reduce their acreage and minimise their impact.

As regards the provision of production facilities and accommodation, the Parish Council would like to see as much use as possible made of the redundant buildings on the site. It therefore supports the applications for change of use of the existing buildings (WA08/0735) and the proposed new building for storage facilities (WA08/1736).

As regards the provision of further accommodation for seasonal workers, a permanent building or two smaller buildings might be preferred in purely visual terms. The long-term viability of the fruit farm is yet to be proven so a flexible solution is to be preferred. The Parish Council therefore supports the application for the provision, for a five-year period, of mobile homes (WA08/1734) and objects to the application for new purpose-built accommodation (WA08/1737).

Witley Parish Council

No comments received

County Highway Authority

Recommend appropriate legal agreement to provide funding for monitoring of travel plan and parking and recommend conditions.

Humberts - Agricultural Surveyor

A revised report commissioned by Waverley from Humberts is attached as Appendix 2 to this report. The Survey concludes that a well organised and screened mobile home park is reasonably necessary in this location, especially as it can be cleared if circumstances change.

Footpaths Officers

No comments received

Police Architectural Liaison Officer – Concerned that car park at front of site has little natural surveillance (this may be overcome by using a barn as a farm office)

Natural England

No written comments received

Waverley's Head of Economic Development & Partnerships

It is important that Tunesley Farm can operate as a successful and viable agricultural business. Farming in Surrey continues to be a challenge because of high land and labour prices but soft fruit production is one of the most profitable areas.

Inevitably, this is a seasonal and labour intensive business and it is essential that appropriate infrastructure can be agreed that will enable staff to be housed in reasonable conditions. If the viability of the business is to be optimised it is important that picking, storing and packing can be done as cost-effectively as possible.

South East England Development Agency – no comments to make

Representations

CPRE Surrey

The CPRE have written to explain that they supported the Council at the Public Inquiry and did not support the grant of planning permission for the reduced polytunnel coverage. As regards the accommodation for the temporary workers – favour granting of temporary, not permanent, consent for use of the site as a temporary mobile home site subject to conditions because:

- mobile home site would be closer to existing farm and smaller than at present
- temporary consent would allow long term impact to be assessed and adjustments to be made
- uncertainties about future
- flexibility
- conditions should cover;
 - delineation of site
 - limiting number of workers
 - restricting occupancy
 - removal of homes no longer required
 - landscaping scheme
 - approval of materials/colours
 - reinstatement to agriculture once site no longer required for agriculture.

Guildford and Waverley Friends of the Earth

It is abundantly clear that seasonal workers need to be accommodated at Tuesley Farm rather than brought in from off-site accommodation adding to traffic. Providing the accommodation in mobile homes is preferable to a large permanent structure. Visually mobile homes are much more acceptable for this site and there is a reasonable prospect that the landscaping proposed will enhance and improve the AGLV landscape, particularly if native species are used.

31 letters of objection have been received in which the following objections are raised:

- Road infrastructure, country lanes, not sufficient, traffic is already too high for narrow local road – damage caused by vehicles.
- Impact on local infrastructure – schools, NHS.
- Will Waverley Borough Council re-house workers?
- Consider local employment for local people.

- Increase demands on services, make local community unsustainable.
- Already rejected by High Court, caravans have been used for over a year without being moved as required and without planning permission.
- Permanent caravans could be turned into permanent dwellings.
- Outstanding enforcement notice is the starting point for considering any planning application.
- Will not seek to protect, conserve or enhance the landscape character of Area of Great Landscape Value.
- Further development inconsistent with this aim will not be permitted unless proven national interest and lack of alternative sites have been demonstrated. Do not believe proven national interest.
- Question need for 250 pickers and 50 workers.
- Noise – late night impromptu parties are disruptive.
- Accommodation is an eyesore.
- Would detract from the rural landscape (contrary to WBLP Policy RD10)
- Need landscaping.
- Out of keeping and not appropriate development in Green Belt, AGLV, overlooking AONB.
- Light pollution.
- Noise and disturbance.
- Were told mobile homes were for seasonal workers and were temporary, to be removed at the end of each season – not the case.
- Developer should not be treated differently from anyone else.
- Litter from workers in Tuesley Lane.
- Will be permanent dwellings.
- Green Belt needs protecting.
- Impact on local community.
- Farms for farming not living and building on.

- Intensive type of commercial fruit-growing not a good enough reason to house itinerant/temporary workers on site.
- Could house workers with local families.
- Create a ghetto.
- Inspector rejected screening before.
- Farm viable without this development.
- No special circumstances.
- Too large a 'commercial' development.
- Too intensive.
- Promises of conservation plans/walkways not met.
- A factory farm.
- Misleading to have separate consideration of the polytunnels from issues of housing for workers.
- Farm operates in a manner totally detrimental to local area.
- Temporary accommodation in contravention of planning regulations.
- Dormitory for workers from elsewhere.

13 letters of support have been received in which the following points have been made:

- Reduced area of hardstanding with suitable screening for mobile homes is appropriate provided they are single storey, for agricultural use.
- Noise should be controlled.
- Favour mobile homes rather than hostel.
- Caravans do not affect the area.
- Caravans essential to house workers.
- Impossible to grow and pick fruit without workers.
- Caravans will be screened.

- An efficient cost effective way of supplying suitable accommodation for a changing size of workforce.
- Permanent accommodation wasteful use of resources.
- Mobile homes are high quality and provide all necessary amenities.
- HHP is an asset to the locality – business should be supported.
- Great care has been taken with planting and wildlife.
- Polite and well disciplined workers deserve the best accommodation.
- Farm well run.
- Can be easily reinstated to agriculture should the need arise.

1 letter was received making general observations.

Determining Issues

- (1) Whether inappropriate development in the Green Belt and the agricultural justification for the development.
- (2) Effect on character and appearance of the locality and on AGLV.
- (3) Effect on living conditions of nearby residents.
- (4) Effect on users of the local highway network.
- (5) Other material factors including benefits, which would outweigh harm.
- (6) Sustainability issues.

Planning Considerations

- (1) Whether inappropriate development in the Green Belt and the agricultural justification for the development.

The essential differences between the mobile home/caravan site which is the subject of this application and that considered by the Inspector in 2005 are:

- (1) No close boarded fence to screen site
- (2) No earth bund to screen site
- (3) Area reduced from 0.96 ha to 0.55 ha.

- (4) Landscaping involving limited re-contouring and planting of native trees, hedges and wild flowers.
- (5) Painting of mobile homes/caravans.

The Inspector, in his consideration of the caravan site, was considering the use of the land for the stationing of caravans together with the earth bund, close-boarded fence and associated infrastructure.

In the case of the current application it is relevant to look at the individual elements of the proposal.

- (1) The landscaping scheme including the planting, re-contouring and post and rail fencing. This part of the proposal would, in the Officers' view, provide an improvement to the visual landscape and would maintain the openness of the Green Belt.
- (2) The stationing of caravans on the site is subject to South East Plan Policy SP5, WBLP Policies C1, and RD10 and advice in PPG2, PPS4 and PPS7. These require the accommodation to be reasonably necessary to the agricultural operation.

The report from Humberts attached as Appendix 2 has been updated to reflect the fact that the polytunnel application has now been implemented and can no longer be subject to legal challenge and to incorporate policy changes. The report analyses the proposal against the advice in PPG2, PPS4 and PPS7 and WBLP policy RD10.

In relation to the need for accommodation on the site it is also relevant to note that the Inspector made reference in paragraph 188 of his decision letter to the lack of evidence to show that HHP had actively sought alternative accommodation for the workers. HHP have submitted further information (email dated 1.12.08) explaining that alternative accommodation has been sought. HHP have approached organisations in the local area, which have accommodation for groups but have been unable to find any suitable accommodation.

In summary, the caravans are considered to represent a form of appropriate development within the Green Belt. They do nevertheless involve encroachment upon the openness of the Green Belt, but this needs to be balanced against the requirement, as set out in PPG2, to retain land in agriculture, forestry and related uses.

Effect on Character and Appearance of the Locality and on the AGLV

The site is within the AGLV. WBLP Policy C3 states, "strong protection will be given to ensure the conservation and enhancement of the landscape character (of the AGLV).

Policy C4 of the South East Plan states that outside nationally designated landscapes, positive and high quality management of the region's open countryside will be encouraged and supported by local authorities and other organisations. The policy aims to protect and enhance the diversity and local distinctiveness of the region's landscape, informed by landscape character assessment. The policy also refers to securing appropriate mitigation where damage to local landscape character cannot be avoided.

The Inspector in 2005 considered the landscape that existed at the time (bund and fence) and alternative landscaping proposals involving a native woodland buffer thickened with an understorey to give the effect of a woodland edge. Due to the time it would take (10 years) he considered that, in the interim, the harm to the character and appearance of the countryside would remain and that "none of these schemes would overcome the harm to the character and appearance of the countryside in this part of the AGLV that SP Policy SE8 (now superseded) and LP Policy C3 strive to strongly protect".

The proposed planting and re-contouring, the subject of this application, would also take several years to become established and to provide an effective screen for the caravans. In the long term, however, Officers consider that the native planting would conserve and enhance the character of the AGLV. In order to provide additional screening while the planting becomes established the applicant has agreed to erect a screen of green netting around the inside of the site. This would help to reduce the visual impact of the mobile homes/caravans. The applicant has also agreed to paint the caravans in a colour to be agreed by the Local Planning Authority.

Effect on living conditions of nearby residents

The Inspector concluded that; "Whilst its siting would not have any direct impact on the living conditions of residents in the vicinity of the appeal site, its size, together with the infrastructure serving it, would represent a significant and unacceptable encroachment of residential use into the open countryside surroundings of the existing group of farm buildings".

The current proposal would not, in the Officers' opinion, have any direct impact on the living conditions of residents in the vicinity of Tuesley Farm.

Effect on users of the Local Highway Network

The applicant has detailed the measures taken by the farm to minimise traffic generated by the workers. The applicant has entered into a Section 106 Agreement relating to the payment of a monitoring fee to the County Council in respect of the monitoring of a travel plan and a condition requiring the submission and implementation of a travel plan is recommended to ensure that appropriate measures continue on the site.

Whether other material factors including Benefits would outweigh Harm

The Humberts' report recognises that WBLP Policy RD1 says that permission will be granted for agricultural related development provided that the proposal

is related to and located on an existing unit and is reasonably necessary for the purposes of agriculture within that unit. It concludes that the farm is a highly productive fruit farm, which is highly labour intensive and it has proved impossible to recruit sufficient labour locally. Accordingly the report considers that a well organised and screened mobile home park is reasonably necessary in this location, especially as it can be cleared if circumstances change.

Sustainability Issues

No specific measures are proposed to address sustainability issues with respect to the mobile homes. However, there is no reason why the site should not be linked into provisions for the generation of energy proposed in the other schemes or that a sustainable drainage system should not be provided. Conditions are recommended to deal with these issues and to comply with South East Plan Policies CC4 and NRM11. The use of mobile homes/caravans for workers is sustainable in that they can be moved and reused elsewhere if and when they are no longer required at this farm.

Enforcement Context

The implications for the enforcement notice of granting planning permission for the mobile home/caravan site would be:

- (1) The earth bund would still need to be removed.
- (2) The close boarded fence would still need to be removed.
- (3) If the new planning permission is not implemented the caravans would need to be removed.
- (4) If the new planning permission is implemented the conditions on the new permission, including those relating to landscaping, would need to be implemented. Failure to do so would result in the Council having the power to issue a breach of condition notice.
- (5) If the new permission is implemented the Council would not be able to remove the caravans under the terms of the existing enforcement notice (the Council could still do so in respect of any caravans sited on land outside the area that is covered by this application but within the area covered by the enforcement notice). If a consent is granted for a limited time, say the five years as recommended by the Officers, and if the caravans remain after five years without the permission having been renewed the Council would not be able to rely on the enforcement notice but would instead need to consider taking fresh enforcement action.

Conclusion – Mobile Home Site

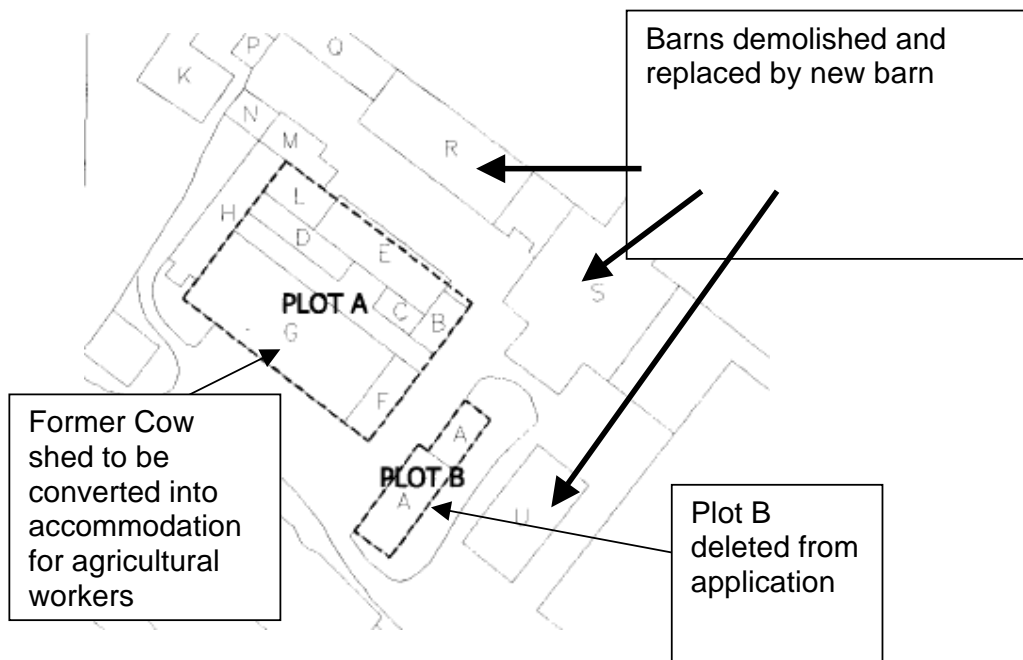
Officers consider that the farming activities on the farm should be supported and consider that the use of land for mobile homes/caravans with landscaping in the form proposed is, on balance, an appropriate form of development. Conditions are recommended to limit the occupancy of the mobile

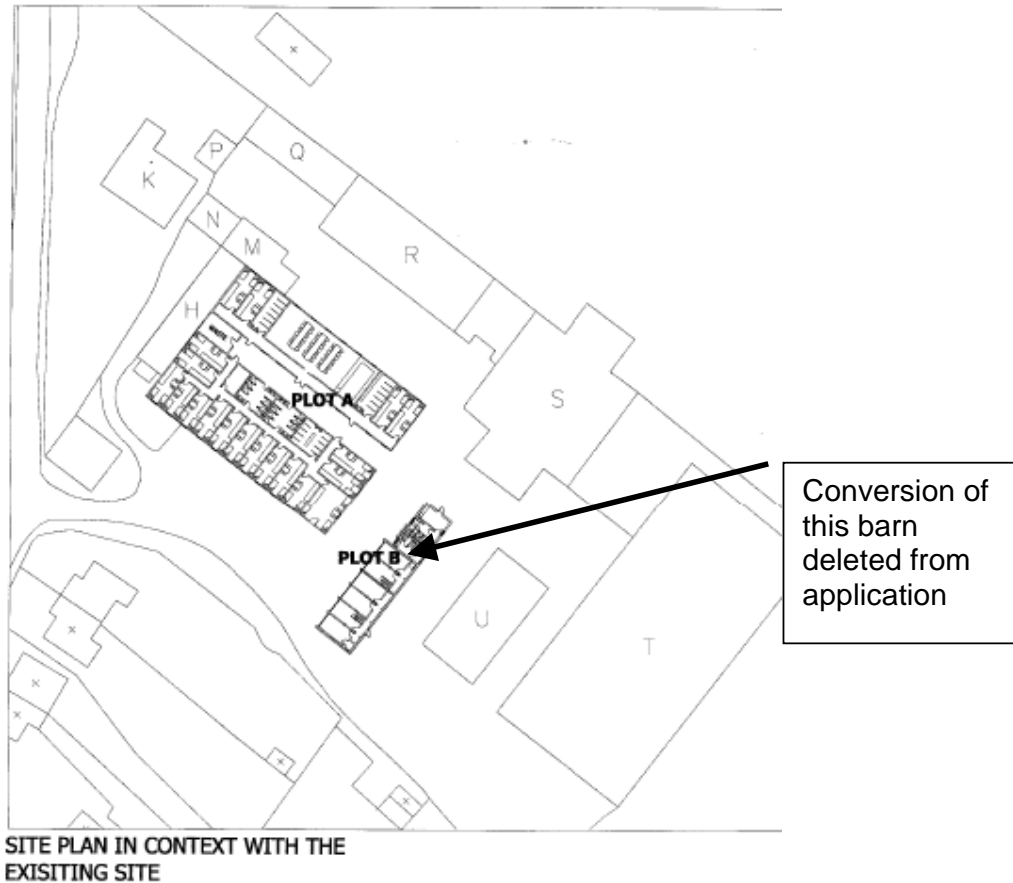
homes/caravans to agricultural workers employed at Tuesley Farm and to limit the permission to 5 years to enable monitoring and to ensure that in the event that the farming practices on the farm change the land can be returned to agricultural use.

Application WA/2008/1735
Alterations and change of use of agricultural buildings to provide living accommodation for agricultural workers at land at Tuesley Farm, Tuesley Lane, Godalming
GU7 1UG (as amended by email dated 20.11.08)

Proposal

The buildings referred to in this application are identified on the plan below.





The applicant has agreed to delete one building from the scheme. This follows advice from the Council's Historic Buildings Officer who felt the building is question although not worthy of listing is an interesting building in the countryside and that the proposed conversion works would detract from this character. It has been suggested to the applicant that a more sympathetic conversion could be achieved if this building were to be converted to the farm office. This would have the further advantage of providing the natural surveillance for the parking area about which the Police Architectural Liaison Officer has raised concern. However, this suggestion is not part of the current applications.

The remaining part of the application relates to a complex of low buildings likely to have previously been used for cattle. The scheme proposes that the buildings would be converted to 17 two-bed bedrooms and 1 three-bed bedroom together with shower rooms, toilets, a canteen and kitchen.

The building identified on the plan as former cow shed is currently open on two sides and would also need a replacement roof. The rest of the buildings are brick and tile and would require fewer structural changes.

The applicant has explained that the travel arrangements would be the same as for the workers living in the mobile homes/caravans.

The applicant has submitted a report of a bat survey. The report concludes that it is not thought that bats present a material consideration for any development of the barns surveyed. European Protected Species Licensing is not thought to be required. The applicant has also confirmed that there is no evidence of barn owls in the buildings in question.

Consultations and Parish Council Comments

Busbridge Parish Council

The Parish Council strongly objects to this application, the proposed building is out of character in the street scene, the building looks more like an Army barracks than an agricultural building and should not be permitted in an AGLV.

Hascombe Parish Council

See response to WA/2008/1734 (caravans)

Witley Parish Council

No comments received

Humberts Agricultural Consultant - support the application (see attached report in Appendix 2).

Natural England

No comments received

Highways

Recommend appropriate legal agreement to provide funding for monitoring of travel plan and parking and recommend conditions.

Waverley's Head of Economic Development & Partnerships

See response to WA/2008/1734 (caravans)

South East England Development Agency – no comments to make.

Representations

CPRE Surrey

Point out that they did not support application for polytunnels. Nevertheless, state; “We raise no objection to, and indeed support, application WA/2008/1735 for the conversion of the two existing buildings to provide accommodation for up to 50 permanent workers, subject to conditions limiting use to workers at Tuesley Farm and reversion back to agricultural use once no longer required by H & P. Assuming number of permanent workers is reasonable.

24 letters of objection have been received in which the following points of objection have been made:

- serious load on the local road infrastructure, traffic is already too high for a narrow local road/local roads not fit for purpose – damage caused by vehicles;
- the entire polytunnel project and housing for workers is totally unacceptable, a violation and desecration of area;
- object permanent homes for workers;
- local infrastructure not in place – local schools oversubscribed as are medical centres, will Waverley rehouse the workers?;
- impact on local area and community;
- should use local workers;
- housing is not meant to be in area of beauty;
- not appropriate development in Green Belt, AGLV and overlooking AONB;
- light pollution;
- noise and disturbance;
- developer should be treated like any other developer;
- contrary to Green Belt policy;
- how does this differ from other residential construction in the Green Belt or AGLV?;
- redundant buildings should be demolished or set aside for the future;
- intensive type of commercial fruit-growing is not a good enough reason to house itinerant/temporary workers on site;
- workers could be accommodated by local families;
- concern about future of fruit farming;
- too large a commercial development;
- farm operates in a manner totally detrimental to local area;
- promises of conservation and paths not met;
- a factory farm;

- housing of workers should not have been separated from issue of polytunnels.

13 letters of support have been received in which the following points have been raised:-

- farm is run extremely well with a very good workforce – farm has to find workers and accommodate them;
- reutilisation of existing farm buildings for accommodation sensible and will enhance current arrangement;
- any feasible possibility is to use existing farm buildings to provide simple accommodation for staff;
- conforms with existing features of the estate;
- existing buildings not fit for purpose or visually attractive;
- staff accommodation is in keeping, will be an asset to the site and provide good housing for permanent staff;
- operation is well run – encourage good locally grown food;
- put existing buildings to good use;
- workers are cheerful, polite and helpful – deserve good accommodation;
- farm well run;
- agricultural workers have traditionally been provided with accommodation on the farm.

1 further letter of observation was received.

Determining Issues

- (1) Whether inappropriate development in the Green Belt and the agricultural justification for the development.
- (2) Effect on character and appearance of the locality and on AGLV.
- (3) Effect on living conditions of nearby residents.
- (4) Effect on users of the local highway network.
- (5) Other material factors including benefits would outweigh harm.
- (6) Sustainability issues.

Whether inappropriate development in the Green Belt and the agricultural justification for the development.

This proposal relates to the re-use of rural buildings and is therefore capable of being appropriate development within the Green Belt. The proposal must be considered against the criteria in WBLP Policy RD7 as follows:

- (a) *The building is capable of retention/reuse without substantial reconstruction or enlargement and the proposed use would not detract from the appearance or character of the existing building.*

The proposal does not involve substantial enlargement of the building but will involve an element of reconstruction for the building identified on the plan as former cowshed, which is largely open in nature. The basic framework can be retained as can the low bargate wall along the southern elevation but the roof will need replacing. The rest of the buildings will need less reconstruction.

- (b) *The building to be retained is in keeping with its surroundings and does not detract from the character or appearance of the area by reason of its form, bulk or general design.*

The basic form of the buildings seems to have been established by the 1860s (according to historic OS maps). The open cow shed seems to have been a later addition. All buildings are in character with what would at one time have been a dairy farmyard. The scale and form are traditional and worthy of retention.

- (c) *The proposed development will not introduce an activity which will adversely affect the character or amenities of the area.*

The buildings would be used to house agricultural workers and a condition is recommended to restrict the use. Apart from the existing farmhouse and the farm cottage to the south, there is no authorised farm workers' accommodation on site. There is however an identified agricultural need for the accommodation which is explained in the agricultural appraisal prepared on behalf of Waverley Borough Council, by Humberts attached as Appendix 2.

- (d) *The proposed development will not be materially detrimental to the amenities or privacy of nearby properties.*

The nearest cottages are understood to be within the ownership of the applicant. Officers do not consider that there will be any material loss of amenity or privacy to the occupiers of nearby residences.

- (e) Relates to retail/leisure so not relevant.

- (f) *The amount of traffic likely to be generated would not prejudice highway safety or cause significant harm to the environmental character of country roads.*

The farm exists and needs workers. The issue to consider is whether traffic associated with the living accommodation will be reduced by having the workers living at the farm rather than having them travelling in from somewhere else. HHP have submitted details of how they intend to limit transport and this has already been explained in relation to WA/2008/1734 (caravans/mobile homes). A Section 106 Agreement has been completed relating to the payment of a monitoring fee in respect of a Travel Plan.

- (g) *Satisfactory vehicular access can be achieved.* No issue has been raised by the Highway Authority in respect of the access from the farm to Tuesley Lane. No new accesses are proposed as part of this application.

Policy RD7 also requires attention to be given to whether conversions will conflict with the purpose of the Green Belt or detract from its openness. This proposal is making use of existing buildings and will not involve other land other than the continued use of land for limited parking. The Agricultural Appraisal by Humberts concludes that, "the change of use of the buildings is broadly in accordance with the provisions of PPS4, PPS7 and PPG2".

The Officers consider that the proposal to utilise existing surplus barns for residential accommodation for agricultural workers is in accordance with the aims WBLP Policies RD7 and C1 and the advice in PPG2 and PPS4 and will not materially detract from the openness of the Green Belt.

Effect on character and appearance of the locality and on AGLV.

The relevant policies are WBLP Policy C3 and South East Plan Policy C4. The barns exist and therefore the issue is whether the proposed conversion will conserve and enhance the landscape character. In terms of the impact of the buildings in the landscape there will be a positive impact because the buildings will be repaired. The traditional form of the farmyard, which seems to have its origins in the 19th century or earlier, will be conserved.

Effect on the living conditions of nearby residents

The current proposal would not in the Officers' opinion have any direct impact on the living conditions of residents in the vicinity of Tuesley Farm. The buildings exist and the nearest dwellings are owned by HHP.

Effect on the users of local highway network

The issues here are the same as those discussed for WA2008/1734. A condition relating to a travel plan is recommended to ensure that measures to

reduce the use of private cars continues and the applicant has entered into a Section 106 Agreement to deal with the monitoring of a travel plan.

Other material factors including benefits, which would outweigh harm.

The main issue to consider is the provision of agricultural workers accommodation at the farm and the conclusions in the Humberts' report. This report says that in order to provide supervision of seasonal staff the farm needs a core of trained workers. For the reasons stated in the report it is not practicable to accommodate these people elsewhere and because they are full time workers temporary accommodation is not adequate to retain them.

Sustainability issues.

The application is accompanied by a comprehensive sustainability and energy statement, which also includes reference to the new barn currently under construction. The recommended conditions require further submission of information to satisfy the requirements of South East Plan Policies CC4 and NRM11 and advice in the supplement to PPS1.

The report states that the proposals will deliver a range of energy measures and sustainability standards including:

1. Minimising water usage on site through water conservation measures by 30%
2. Installing rain water harvesting for all non-potable supply with borehole back up.
3. Continue to promote and provide centralised transport services to minimise traffic around the local area.
4. Use sustainable materials
5. Recycle and reuse construction waste
6. provide energy efficiency measures and heat recovery to reduce and offset energy demand by more than 15%.
7. Install solar water heating and biomass boiler to generate on-site renewable energy generation by minimum of 22.9%.

The applicant is proposing the following technologies to reduce energy demand and generate electricity on site.

- The use of Heat Recovery technology from the refrigeration plant to offset part of the hot water demand and for space heating.
- Installation of a large solar water heating system.
- Use of a biomass boiler.

The applicant has calculated that the combination of these technologies excluding the heat recovery figures will offset the energy demand by between 22.9% and 27.5%.

The detailed location of the equipment associated with these technologies has not yet been submitted and will be dependent upon which of the applications are approved. However, conditions are recommended to cover this matter.

Conclusion - Barn conversions

This scheme would in the Officers' opinion make good use of existing surplus buildings which are of a traditional form in the landscape and important in maintaining the character of the farm yard. The Agricultural Assessment by Humberts has confirmed the agricultural justification for the accommodation.

RECOMMENDATIONS:

WA/2008/1734 – Mobile homes/caravans

RECOMENDATION: that subject to the Section 106 Legal Agreement which secures the payment of £4,600 to monitor the travel plan and parking, permission be GRANTED subject to the following conditions:

1. Condition

The development hereby permitted is granted for a temporary period only expiring on 1/3/2015. On or before this date, the mobile homes/caravans shall be removed and the land restored to agricultural use in accordance with a scheme, which shall have been previously submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of the character and amenity of the area in accordance with Policies C1, C3, D1 and D4 of the Waverley Borough Local Plan 2002.

2. Condition

No development shall take place until a detailed landscaping scheme for the submitted landscaping scheme has been submitted to and approved by the Local Planning Authority in writing. The submitted landscaping and planting scheme shall be carried out strictly in accordance with the agreed details and shall be carried out within the first planting season after commencement of the development or as otherwise agreed in writing with the Local Planning Authority. The landscaping shall be maintained to the satisfaction of the Local Planning Authority for a period of 5 years after planting, such maintenance to include the replacement of any trees and shrubs that die or have otherwise become, in the opinion of the Local Planning Authority, seriously damaged or defective. Such replacements to be of same species and size as those originally planted.

Reason

In the interest of the character and amenity of the area in accordance with Policies C1, C3, D1 and D4 of the Waverley Borough Local Plan 2002.

3. Condition

No development shall take place until details of proposed netting fences, have been submitted to and approved by the Local Planning Authority in writing, the details to be submitted shall include position, height and design of the fences. The approved details shall be erected within a period of 3 months from the date of this decision, and thereafter be maintained for a period of at least 5 years or as otherwise agreed in writing by the Local Planning Authority.

Reason

In the interest of the character and amenity of the area in accordance with Policies C1, C3, D1 and D4 of the Waverley Borough Local Plan 2002.

4. Condition

No development shall take place until samples of the colour of the paint to be used for the external surfaces of the mobile homes/caravans hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interests of the visual amenities of the area in accordance with Policies C1, C3, D1 and D4 of the Waverley Borough Local Plan 2002.

5. Condition

The occupation of the mobile homes and caravans hereby approved shall be limited to a person solely working in agriculture at Tuesley Farm.

Reason

The site lies in the Green Belt and an AGLV wherein there is a restriction on the erection of residential accommodation in accordance with Policies LO4 and SE8 of the Surrey Structure Plan, 2004 and Policies C1 and C3 of the Waverley Borough Local Plan 2002.

6.

Prior to the occupation of the development hereby permitted, a detailed Travel Plan that sets out how the applicants intend to reduce reliance on the private motorcar shall be submitted to and approved in writing by the Local Planning Authority, after consultation with the County Highway Authority. The Travel Plan shall deal with the following key issues:

- a) Appointment of a Travel Plan Coordinator and notification in writing to the Local Planning Authority of the name of holder of that post;
- b) Measures to promote and facilitate public transport use;
- c) Maps, timetables and fare information to be updated regularly;
- d) Measures to promote walking and cycling, including measure to hire out bicycles;
- e) Promotion of group sharing and practices, including the use of coaches and mini-buses, and on site facilities that reduce the need for travel;
- f) Monitoring and review mechanisms.

The agreed Travel Plan shall be fully implemented within 3 months of the date of this decision and not thereafter varied unless first agreed in writing by the Local Planning Authority.

Reason

To promote sustainable modes of travel in compliance Policies M1 & M2 of Waverley Borough Local Plan 2002.

7. Condition

Prior to commencement of any development, details of water minimising techniques shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in full in accordance with such approved details.

Reason

To maintain and enhance the quality of the environment and to comply with Policy NRM11 of the South East Plan 2009 and Policy D3 of the Waverley Borough Local Plan 2002.

8. Condition

Prior to the commencement of development hereby permitted, details of predicted energy use of the development and the generation of on-site renewable energy shall be submitted to and approved in writing by the Local Planning Authority. These details will demonstrate how energy efficiency is being addressed, benchmark data for predicted energy use of the whole development without renewable technologies, and details on how on-site renewable technologies will be installed to provide a minimum of 10% of the total energy requirements. Such details as may be approved shall be implemented and become operational within 3 months of the date of this permission or as otherwise agreed, in writing, by the Local Planning Authority and hereafter be retained and maintained or replaced with alternative renewable technology which would meet at least 10% of the energy consumption on site.

Reason

To maintain and enhance the quality of the environment and to comply with Policies CC4 and NRM11 of the South East Plan 2009 and Policy D3 of the Waverley Borough Local Plan 2002.

SUMMARY OF REASONS FOR GRANTING PERMISSION

The development hereby granted has been assessed against the relevant Government advice within PPG2 and 13, PPS1, 4 and 7, the following Development Plan policies: Policies CC5, C4, SP5, NRM5 and NRM11 of the South East Plan 2010 and Policies D1, D3, D4, C1, C3, LT11, RD7, RD9, RD10, M2, M4 of the Waverley Borough Local Plan 2002 and material considerations, including third party representations. Specifically the accommodation is regarded as being reasonably necessary for purposes of agriculture in this location and this justification is considered to outweigh the harm caused by the development to the openness of the Green Belt and to the character of the Area of Great Landscape Value. It has been concluded that the development would not result in any harm that would justify refusal in the public interest.

Informatives

"IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.

On 6 April 2008 a new fee was introduced by the Town and Country Planning (Fees of Applications and Deemed Applications) (Amendment) (England) Regulations 2008. This fee relates to requests to discharge a condition on a planning consent. The fee payable is £85.00 or a reduced rate of £25.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site.

Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.

WA/2008/1735 – Barn conversions

RECOMENDATION: that subject to the Section 106 Legal Agreement which secures the payment of £4,600 to monitor the travel plan and parking, permission be GRANTED subject to the following conditions:

1. Condition
No development shall take place until 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. Development shall be carried out in accordance with the approved details.

Reason

In the interests of the visual amenities of the area in accordance with Policies C1, C3, RD7, D1 and D4 of the Waverley Borough Local Plan 2002.

2. Condition

Before the development commences, details shall be submitted to and approved in writing by the Local Planning Authority of the following: detailed drawings at a scale of 1:5 to show new roof eaves, verges and ridges. The work shall be carried out in full in accordance with such approved details.

Reason

In the interest of the character and amenity of the area in accordance with Policies C3, RD7, D1 and D4 of the Waverley Borough Local Plan 2002.

3. Condition

Before any work is commenced, drawings to a scale of 1: 5 fully detailing the new or replacement windows and doors shall be approved in writing by the Local Planning Authority and installed in complete accordance with the approved details. The details to show:

- (a) materials
- (b) cross sections of glazing bars, sills, heads etc.
- (c) sample sections of the joinery work to be used
- (d) method of opening
- (e) method of glazing

Reason

In the interest of the character and amenity of the area in accordance with Policies C3, RD7, D1 and D4 of the Waverley Borough Local Plan 2002.

4. Condition

The occupation of the converted buildings hereby approved shall be limited to a person solely working in agriculture at Tuesley Farm.

Reason

The site lies in the Green Belt and an AGLV wherein there is a restriction on the erection of residential accommodation in accordance with Policies SP5 and C4 of the South East Plan 2009 and Policies C1 and C3 of the Waverley Borough Local Plan 2002.

5.

Prior to the occupation of the development hereby permitted, a detailed Travel Plan that sets out how the applicants intend to reduce reliance

on the private motorcar shall be submitted to and approved in writing by the Local Planning Authority, after consultation with the County Highway Authority. The Travel Plan shall deal with the following key issues:

- a) Appointment of a Travel Plan Coordinator and notification in writing to the Local Planning Authority of the name of holder of that post;
- b) Measures to promote and facilitate public transport use;
- c) Maps, timetables and fare information to be updated regularly;
- d) Measures to promote walking and cycling, including measure to hire out bicycles;
- e) Promotion of group sharing and practices, including the use of coaches and mini-buses, and on site facilities that reduce the need for travel;
- f) Monitoring and review mechanisms.

The agreed Travel Plan shall be fully implemented within 3 months of the date of this decision and not thereafter varied unless first agreed in writing by the Local Planning Authority.

Reason

To promote sustainable modes of travel in compliance with Policies M1 & M2 of Waverley Borough Local Plan 2002.

6. Condition

Prior to commencement of any development, details of water minimising techniques shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in full in accordance with such approved details.

Reason

To maintain and enhance the quality of the environment and to comply with Policy CC4 of the South East Plan 2009 and Policy D3 of the Waverley Borough Local Plan 2002.

7. Condition

Prior to the commencement of development hereby permitted, details of predicted energy use of the development and the generation of on-site renewable energy shall be submitted to and approved in writing by the Local Planning Authority. These details will demonstrate how energy efficiency is being addressed, benchmark data for predicted energy use of the whole development without renewable technologies, and details on how on-site renewable technologies will be installed to provide a minimum of 10% of the total energy requirements. Such details as may be approved shall be implemented and become operational on the first occupation of the development and hereafter be retained and maintained or replaced with alternative renewable technology which would meet at least 10% of the energy consumption on site.

Reason

To maintain and enhance the quality of the environment and to comply with Policies CC4 and NRM11 of the South East Plan 2009 and Policy D3 of the Waverley Borough Local Plan 2002.

8. Condition

Notwithstanding the submitted drawings no 2729-APP3-006, 2729-APP3-002A, 2729-APP3-007A and to avoid any ambiguity, the planning permission hereby granted shall not purport to grant planning permission for the conversion of the barn identified as "Plot B" on plan 2729-APP3-006 nor the erection of a hostel to the south west of the site.

Reason

In the interest of the character and amenity of the area in accordance with Policies LO4, SE4 and SE8 of the Surrey Structure Plan 2004 and Policies C1, C3, D1 and D4 of the Waverley Borough Local Plan 2002.

SUMMARY OF REASONS FOR GRANTING PERMISSION

The development hereby granted has been assessed against the relevant Government advice within PPG2 and 13, PPS1, 4 and 7, the following Development Plan policies: Policies CC4, C4, SP5, NRM5 and NRM11 of the South East Plan 2009 and Policies D1, D3, D4, C1, C3, LT11, RD7, RD9, RD10, M2, M4 of the Waverley Borough Local Plan 2002 and material considerations, including third party representations. Specifically the accommodation is regarded as being reasonably necessary for purposes of agriculture in this location and this justification is considered to outweigh the harm caused by the development to the openness of the Green Belt and to the character of the Area of Great Landscape Value. It has been concluded that the development would not result in any harm that would justify refusal in the public interest.

Informatives

"IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.

On 6 April 2008 a new fee was introduced by the Town and Country Planning (Fees of Applications and Deemed Applications) (Amendment) (England) Regulations 2008. This fee relates to requests to discharge a condition on a

planning consent. The fee payable is £85.00 or a reduced rate of £25.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site.

Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.

G:\bureau\comms\Joint Planning Management Committee\2009-2010\10-03-10 TF\003 Appendix A Tuesley Farm report.DOC