

WA/2021/0184 – Change of use of part of dwelling to provide an independent dwelling known as The Cottage together with alterations to elevations (as amended/amplified by plans received 22/02/2021 and 26/03/2021) at The Cottage, Upper Ifold House, Upper Ifold, Dunsfold GU8 4NX

Committee Meeting Date: Eastern Area Planning Committee 14/04/2021

Ward: Chiddingfold and Dunsfold

Case Officer: Kate Edwards

Expiry Date/ Extended Date: 13/04/2021

Extension TBC

Eastern

Committee: 14/04/2021

Meeting Date:

Neighbour Notification Expiry Date: 13/04/2020

RECOMMENDATION

That, subject to consideration of any further representations received up until 13/04/2021, conditions and informatives, permission be GRANTED

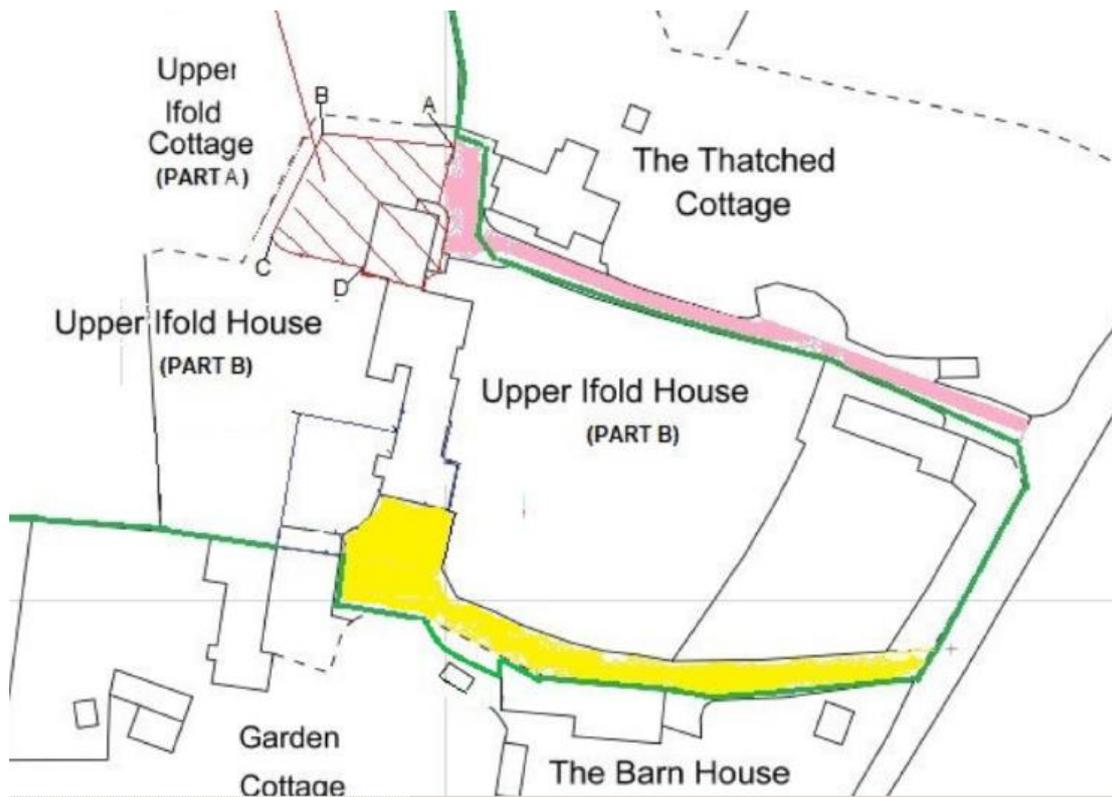
1. Summary

The application has been brought before the Area Committee at the request of Councillor John Gray. The reasons to bring the application to committee were stated as being to consider the integrity of the Listed Building and to address the committees previous concerns that the 'annex' is not used as an independent dwelling.

The proposed conversion would not lead to harm to the heritage asset. The unit provided would have sufficient parking and internal floorspace in excess of the Nationally Described Space standards. It would have an acceptable visual impact and not result in harm to neighbour amenity. It is therefore recommended that permission is granted.

2. Location Plan

PTO



### 3. Site Description

The application site is located on the western side of the Upper Ifold bridle path. Unlike the previous application (WA/2020/0372) the whole title for Upper Ifold House is not included within the site area. The site area of the current application includes the northern most part of Upper Ifold House, which is in use as an annex, as well as an existing gravelled area to the side of the site. The site plan indicates a right of way over an access road Upper Ifold bridle path which is understood to be within the title of Thatched Cottage.

The site is currently occupied by the extended family of the applicant. It is argued within the applicant's representations that it currently represents an independent dwelling rather than accommodation which is ancillary to the main dwelling.

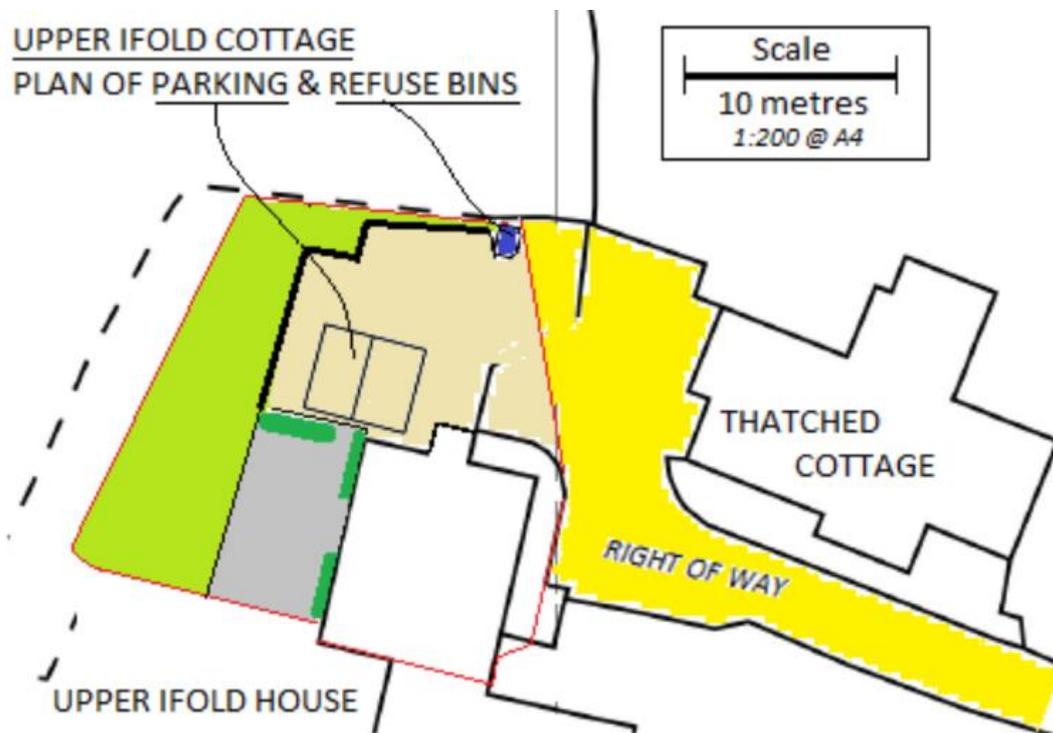
The surrounding area is highly rural, with a small cluster of detached dwellinghouses and an agricultural range nearby.

### 4. Proposal

Full planning permission is sought for the change of use of part of dwelling to provide an independent dwelling known as The Cottage together with alterations to elevations (as amended/amplified by plans received 22/02/2021 and 26/03/2021).

New party walls would be established adjacent to the existing butlers pantry at ground floor level and within the existing split level bedroom to the upper floor. The new dwelling created would have an internal floor area of 110m<sup>2</sup>. Two bedrooms would be provided on the ground floor with a master bedroom and ensuite on the upper floor. A curtilage would be created to serve the dwelling with a rear amenity area (whilst it is noted a fence already existing between the annex and main dwelling, a rear boundary would be established by this application.) The existing gravelled area to the side of the building would be utilised to provide two parking spaces, which would be accessed via the right of way from Upper Ifold.

Proposed site plan



## Floor plans



Part Existing ground (top plan) and first (bottom) floors

Proposed ground (top plan) and first (bottom) floors

## Elevations



Elevations as existing and proposed front (top) and rear elevations

5. Relevant Planning History

WA/2020/0372	Erection of extension and internal alterations	Full permission 06/10/2020
WA/2020/0373	Concurrent application for listed building consent for the erection of extension and internal alterations	Listed Building consent granted 06/10/2020
WA/2013/1227	Erection of extension following demolition of summerhouse	Full permission 10/09/2013 Consent implemented
WA/2013/1228	Listed building consent for erection of extensions following demolition of existing summerhouse	Listed Building Consent Granted 10/09/2013 Consent implemented

6. Planning Policy Constraints

Countryside beyond Green Belt  
AGLV  
Ancient Woodland 500m buffer  
Heritage Feature  
Listed Building Grade II  
Flood zone 2  
Ancient Woodland

7. Development Plan Policies and Guidance

The relevant development plan policies comprise:

- Waverley Borough Local Plan, Part 1, Strategic policies and sites (adopted February 2018): TD1, NE1, HA1, RE1, RE3.
- Waverley Borough Local Plan 2002 (retained policies February 2018): D1, D4, D6, D7, HE3, HE5, RD2.

In accordance with the National Planning Policy Framework (NPPF) due weight has been given to the relevant policies in the above plans.

Other guidance:

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (2014)
- Statement of Community Involvement (2019 Revision)
- Strategic Flood Risk Assessment (2015/2016)
- Residential Extensions SPD (2010)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2018)
- Surrey Hills Management Plan (2014-2019)
- Dunsfold Design Statement (2001)
- National Design Guide (2019)

8. Consultations and Town/Parish Council Comments

Dunsfold Parish Council	Objection as there is no Listed Building reason for the subdivision. Request that conditions are attached, should permission be granted, to remove permitted development rights, obtain a CLP and cancel previous consent.
Surrey Wildlife Trust	SWT commented in relation to the previous proposal for more extensive works. These comments are discussed below.

9. Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – August 2019” the application was advertised in the newspaper, site notices were displayed around the site and neighbour notification letters were sent.

The agenda report has been prepared prior to the expiration of the deadline for comments. Any further comments received up to 13/04/2021 will be summarised and an update given at the meeting.

16 letters have been received raising objection and 13 letters in support (including from the applicant and their family) have been received.

Objections are outlined for the following reasons:

- The annex would no longer be subject to Listed Building regulations.
- The proposal does not observe the established boundary line and the planning application should not be considered until this is resolved.
- Concerns regarding the chosen naming of the dwelling.

- Future residents should contribute to the upkeep of Farm Drive.
- The splitting up of the property is a plan to gain larger extensions for The Cottage by the backdoor. Extensions of greater than 40% of the Cottage would not be granted but were granted with the previous application as it was claimed the area was ancillary to the main building.
- Details provided by the applicant of the history and use of the main building are incorrect.
- The ownership of the Listed Building will be split.
- The proposed Tree Protection barrier crosses onto the ownership of Thatched Cottage.
- There is a contradiction between the applicant's previous statement that the annex is ancillary and the current statement that it is independent.
- Adverse impact on the significance of the Listed Building.
- Concern regarding HGVs using the existing access to thatched Cottage.
- From 1963-1988 'the annex' was in use as a granny annex.
- This area of the building was used as gardeners accommodation until the late 70s.
- There is a dwarf wall shown on the plans in error.
- The internal door was found to be fixed shut in April 2013 following enforcement investigation and was presumed to be opened up after that and used as an ancillary annex.
- The application should be invalid as it is short term.
- Conditions are recommended.
- Limits on future development and the cancellation of consent WA/2020/0372 as recommended.
- Discrepancies in the plans are indicated due to works carried out after 2013.
- There is no need for future separation of this part of the building into an independent dwelling.

Letters in support contain the following reasons:

- This part of the building is an independent dwelling and has been so since at least 2012.
- The proposal has no greater impact on the heritage asset than the approval.
- There would be no adverse impact on neighbour amenity.
- The proposal will enable the family to stay in Dunsfold.

Planning Considerations

#### 10. Principle of development

Policy SP1 of the Local Plan (Part 1) 2018 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development.

The site is located in countryside beyond the Green Belt, outside of a defined settlement boundary. Whilst it is situated within a cluster of existing dwellings, it is seemingly very remote from established service centres and Dunsfold. On this basis, whether the proposal represents an isolated dwelling in the countryside needs to be considered. Paragraph 79 of the National Planning Policy Framework (NPPF) 2019 states that isolated dwellings should not be created in the countryside unless a listed exception is met. It is considered that the proposal would not be isolated by virtue of exception d) for the subdivision of an existing residential dwelling.

The designation of the building as a Listed Building of heritage value is of paramount importance to the assessment of this application. Retained Policy HE4 of the Local Plan (2002) states that the Council may permit the change of use or subdivision of a listed or locally listed building provided that:

- It would preserve or enhance the character, setting and features of the special architectural and historic interest.
- There would be no consequential vacancy or under utilisation and
- Details of all alterations are provided to confirm that the character, appearance and setting would be preserved or enhanced.

On this basis, the principle is acceptable subject to the detailed considerations outlined in these Policies and discussed below.

#### 11. Impact upon the significance of the Grade II Listed Building

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications which affect Listed Buildings, Local Planning Authorities must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraphs 193, 194, 195 and 196 of the NPPF are of particular relevance and are provided below:

“193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to

substantial harm, total loss or less than substantial harm to its significance.

194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration, or destruction or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) Grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) Assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

195. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) The nature of the heritage asset prevents all reasonable uses of the site; and
- b) No viable use of the heritage asset itself can be founding the medium term through appropriate marketing that will enable its conservations; and
- c) Conservation by grant-funding or some for of not for profit, charitable or public ownership is demonstrably not possible; and
- d) The harm or loss is outweighed by the benefit of bringing the site back into use.

196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The application of the statutory duties within section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 combined with the guidance contained in the NPPF means that when harm is identified, whether that be less than substantial or substantial harm, it must be given considerable importance and weight.

Local Plan Part 1 2018 Policy HA1 states that the Council will safeguard and enhance all heritage assets within the Borough. Saved Policies HE3 and HE5

of the Local Plan 2002 states that developments which meet high design standards and ensure that the new development is compatible will be permitted.

The principle of development impacting on a Listed Building is therefore acceptable, subject to a high quality design being achieved.

The significance of Upper Ifold House is as a 16<sup>th</sup> century timber framed building clad in red brick and tile hung above. It was extended on both ends in the 1930s. It was originally the farmhouse to a historic farmstead which became more dispersed in the 1900s due to a group of outbuildings being built elsewhere, by the 1950s the buildings remaining in the historic farmstead were converted into dwellings.

The north end of the listed building currently has a late 20<sup>th</sup> century single storey extension, with various ad-hoc roof forms. It does not contribute to the significance of the listed building.

The Council's Conservation Officer has advised that, given that the extension is not original, the proposed subdivision would have no adverse impact on the significance of the Listed Building, subject to conditions to ensure that the works are carried out in sympathy. These conditions are recommended within the schedule outlined within the concurrent Listed Building Consent application.

The proposal would therefore preserve the significance of the Listed Building and be acceptable in accordance with the above Policies. As no harm is identified, there is no need for the public benefits of the proposal to be weighed against harm.

12. Impact on visual amenity, AGLV and intrinsic character and beauty of the countryside

Policy RE1 of the Local Plan (Part 1) 2018 states that development proposals in the countryside should preserve the intrinsic character and beauty of the countryside. Policy RE3 states that within areas with special landscape designations, such as the Area of Great Landscape Value within which the site lies, special regard should be had to preserving the landscape features of value. Policy RD2 states that extensions in countryside should not appear proportionately large, should have an appropriate design and should respect landscape and rural character.

Policy TD1 of the Local Plan 2018 (Part 1) requires development to be of high quality design and to be well related in size, scale and character to its surroundings. Retained Policies D1 and D4 of the Local Plan 2002 are

attributed substantial and full weight respectively due to their level of consistency with the NPPF 2019.

The proposal does not include external changes to the building. Whilst the establishment of a rear boundary feature to the rear curtilage is likely to be necessary, acceptable details can be secured by condition. The refuse storage and parking areas are established.

The proposal would therefore have an acceptable impact upon the visual amenity, AGLV and intrinsic character and beauty of the countryside. It is in accordance with the Policies stated above.

### 13. Impact on residential amenity

Policy TD1 of the Local Plan 2018 (Part1) seeks to ensure that new development is designed to create safe and attractive environments that meet the needs of users and incorporate the principles of sustainable development. Retained policies D1 and D4 of the Local Plan 2002 are given substantial and full weight respectively due to their consistency with the NPPF 2019.

As no extension is proposed, the development is not likely to impact on the light, outlook or privacy of adjoining occupiers. Whilst the proposal would regularise the occupation by an additional household, this is unlikely to have a material impact on the levels of general noise and disturbance experienced by neighbours.

The proposal would therefore preserve suitable amenity for neighbouring properties and is in accordance with Policy TD1 of the Local Plan (Part 1) in this regard.

The residential amenity of future occupiers also needs to be considered. The resultant remaining main residence would be well in excess of floor area outlined as necessary within the National Described Spatial Standards. The proposed dwelling would have an internal floor area of 110m<sup>2</sup>, well in excess of the requirement of 93m<sup>2</sup> outlined in the NDSS. Sufficient external amenity space would be provided to serve the independent dwelling. The proposal would therefore provide a suitable level of amenity for future residents.

### 14. Transportation considerations

Policy ST1 of the Local Plan (Part 1) 2018 states that development proposals should encourage the use of sustainable transport. The Surrey Parking Guidance for Development, 2018, outlines parking standards for residential

dwellings. This states that 2 plus spaces should be provided, with more than 2 spaces where this can be accommodated.

Representations have made reference to the disputed ownership of the land immediately adjacent to the existing side access which provides parking for the current occupiers of the annex and proposed parking for the independent dwelling. Concerns have been raised both about this access being lost, the parking it provides being lost and the parking to Thatched Cottage being lost. The parking to Thatched Cottage is understood to be in an area of ownership dispute. This is outside of the planning system and, as a civil matter, Officers have no comment upon this.

A plan has been submitted with the application indicating that two spaces would be provided within the area to the north of the proposed regularised independent dwelling. This does not show parking bays which meet standard dimension expectations of 2.4m by 4.8m. However, it is considered that this could be successfully accommodated on site and therefore recommended that this is secured by condition.

The proposal would thereby provide sufficient car parking. The resultant impact on traffic levels would not be material given that only one dwelling is proposed.

Given all of the considerations outlined above, the proposal is acceptable with regards to transportation considerations.

#### 15. Biodiversity

Policy NE1 of the Local Plan (Part 1) 2018 states that the Council will seek to conserve and enhance biodiversity. Development will be permitted provided it retains, protects and enhances biodiversity and ensures any negative impacts are avoided or, if unavoidable, mitigated.

Further, Circular 06/2005 states 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.'

The application is accompanied by an Ecological report. The roofspace above the site has been separated from the main building. Subject to the conditions of WA/2020/0372 being reapplied to ensure no harm to bats, it is considered that the proposal would have no adverse impact on wildlife.

The rear part of the garden of Upper Ifold House is designated as Ancient Woodland. The proposal would not intrude upon this or have a material impact

upon the trees within it, maintaining a buffer in excess of 15m. The proposal would therefore have an acceptable impact upon trees.

#### 16. Third Party Representations

The representations received by third parties have been noted and carefully considered by officers in the assessment above. It is considered the majority of the concerns raised have been addressed in this report.

In relation to comments relating to the onward protection of the annex under listed building legislation, officers can confirm that this protection would continue to apply.

In respect of the comments regarding the established boundary line, officers would comment that that landownership is a civil matter and not a material planning consideration. Similarly, the naming of a dwelling is not an aspect that that can be controlled by planning legislation. Furthermore, the upkeep of Farm Drive is a matter for the relevant parties to resolve and not the local planning authority.

In terms of the comments relating to the motives for subdividing the property, this matter is not a material planning consideration.

#### 17. Conclusion

The proposal is considered to be in accordance with the Development Plan. The proposal would not represent an isolated dwelling and would preserve the significance of the Grade II Listed Building, residential amenity and the rural character and the AGLV. As such, it is recommended that planning permission is granted.

#### RECOMMENDATION

That subject to consideration of any further representations received until 13/04/2021, permission is granted subject to the following conditions:

##### 1. Condition

The development shall be provided entirely in accordance with the following approved plans: UIC-2020-01; 02B; 03; 04; 06; 07; 08B; 09B; Location plan (amended plan received 22/02/2021); Block plan(amended plan received 22/02/2021).

Reason

To provide an acceptable standard of development in accordance with the Policies of the Local Plan (Part 1) 2018.

2. Condition

Prior to the commencement of the development, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the frequency and timing of all deliveries and exits from the site in addition to the details of the proposed vehicles and proposed parking for construction workers in relation to the construction period for the development. The development shall only be implemented in accordance with the approved details.

Reason

To minimise disruption and ensure appropriate access, thereby protecting residential amenity in accordance with Policy TD1 of the Local Plan (Part 1) 2018.

3. Condition

The development shall be implemented entirely in accordance with the recommendations of the Ecological Statement dated 10 March 2020 by ECD Environmental. If at any point in works protected species which have not previously been identified are found, works shall cease and the advice of a qualified Ecologist shall be sought and actioned before works commence again.

Reason

To prevent harm to protected species in accordance with Policy NE1 of the Local Plan (Part 1) 2018.

4. Condition

Prior to commencement of any works on site, internal demolition or other development activities, Tree Protective measures which comply with BS 5837:2012 'Trees in relation to design, demolition and construction – Recommendations' shall be provided on site to establish a minimum 15m protected buffer zone from the Ancient Woodland. The protection shall be kept in position throughout the development period until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without written consent of the Local Planning Authority.

Reason

To protect trees in accordance with Policy NE1 of the Local Plan (Part 1) 2018.

5. Condition

No external lighting shall be installed, either during the construction phase or operational phase, to enable construction works or serve the extension other than that which is fully in accordance with “Bats and lighting in the UK – Bats and the built environment series.”

Reason

To prevent harm to bats and therefore comply with Policy NE1 of Local Plan (Part 1) 2018.

6. Condition

No works of building or vegetation clearance shall take place accept either –

1. Outside of the bird nesting season of March to August or
2. The site has been inspected by an ecologist immediately prior to works and been found to be free of nesting birds or
3. An undisturbed buffer zone has been established if any nests are found in accordance with the investigation under 2 above.

Reason

To prevent harm to breeding birds and protect biodiversity in accordance with Policy NE1 of the Local Plan (Part 1) 2018.

7. Any trenches left open on site overnight shall be provided with a ramped access point so nocturnal wildlife and badgers can exit the trench if necessary.

Reason

To prevent harm to protected species in accordance with Policy NE1 of the Local Plan (Part 1) 2018.

8. Condition

Prior to the first occupation of the development, a minimum of two parking spaces shall be provided to serve the dwelling in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Thereafter, the parking shall be retained for the use of the dwelling for the lifetime of the development in accordance with the approved details.

Reason

To ensure that sufficient parking is provided in accordance with The Surrey Vehciular Parking Guidance 2018.

9. Condition

Prior to the first occupation of the development

- 1) a rear boundary to the independent dwelling and
- 2) a refuse and recycling store

shall be provided in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the matters shall be retained for the lifetime of the development in accordance with the approved details.

Reason

To preserve the significance of the Listed Building in accordance with Policy HA1 of the Local Plan (Part 1) 2018.

Informatives

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of Paragraph 38 of the National Planning Policy Framework 2019.
2. '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.
3. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £116.00 or a reduced rate of £34.00 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.

4. This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at Waverley Borough Council, The Burys, Godalming, Surrey GU7 1HR, telephone 01483 523029 or e-mail [waverley.snn@waverley.gov.uk](mailto:waverley.snn@waverley.gov.uk)

For further information please see the Guide to Street and Property Naming on Waverley's website.

5. Community Infrastructure Levy (CIL)

The development hereby permitted is CIL liable.

'CIL Form 6: Commencement Notice' must be received by the Council prior to the commencement of development. Commencement of development is defined in Regulation 7 of the CIL Regulations 2010 (as amended).

Failure to adhere to the CIL Regulations and commencing work without notifying the Council could forfeit any rights you have to exemptions, payment by instalments and you may also incur surcharges.

For further information see our webpages ([www.waverley.gov.uk/CIL](http://www.waverley.gov.uk/CIL)) or contact [CIL@waverley.gov.uk](mailto:CIL@waverley.gov.uk)

