

**WA/2023/00323** – Application under Section 73A to vary condition 1 of WA/2015/1988 (approved plans) to allow alterations to design at PIERREPONT FARM THE REEDS ROAD FRENESHAM GU10 3BS

Applicant: The Countryside Regeneration Trust - The  
Countryside Regeneration Trust

Parish: Frensham

Ward: Frensham, Dockenfield and Tilford

Grid Reference: E: 485948  
N: 142245

Case Officer: Dylan Campbell

Neighbour Notification Expiry Date: 04/03/2023

Expiry Date/Extended Expiry Date: 21/06/2023

Committee Meeting Date: 14 June 2023 - Western Planning Committee

RECOMMENDATION That, subject to conditions, permission be  
**GRANTED**

### Summary

This application is on the agenda because of the number of neighbour objections received.

The application follows a previously approved application (WA/2015/1988) for the change of use of buildings to B1(a) B1(c) and B8, erection of in-fill extension and alterations following demolition of lean-to structures.

This application is to vary condition 1 of WA/2015/1988 (approved plans) to allow alterations to approved design of the open-bay grain stores (Building C) only. These changes are to allow more flexibility and usability of Building C to attract tenants. The changes are listed in the 'Proposal' section of this report below.

It is considered that the proposal would not result in a detrimental impact to the significance or character of the Listed Building, there would be no detrimental impact to highways safety or neighbouring amenity and the proposal would bring the existing Listed Building back into viable use and ensure its long-term repair and maintenance. As such the proposal is in accordance with Policies HA1, ST1 and TD1 of the Local Plan (Part 1) 2018, Policies DM5 and DM20 of the Local Plan (Part 2) 2023 and paragraphs 111, 130(f) 199, 200, 201 and 202 of the NPPF, therefore planning permission is recommended for approval.

## 1. Site Description

The application site is located to the southeast of the Reeds Road in Frensham. The site comprises a group of buildings which were the subject of application WA/2015/1988, that have been brought back into use, along with the three open-bay grain stores (Building C, which is the subject of this application) which remain vacant and not yet refurbished. The site forms part of a wider agricultural holding, with the Pierrepont Farm estate extending to circa 48ha and includes a dairy farm. The area is rural in character.

## 2. Proposal

This application under Section 73A is to vary condition 1 of WA/2015/1988 (approved plans) to allow alterations to the approved design of the open-bay grain stores (Building C). These changes are to allow more flexibility and usability to attract tenant including:

### South Gable Elevation

- Window (WS1) added to the far-left gable end.
- Window (WN4) filled in to allow for new GF doors.
- Window (WS3) lifted slightly to site above existing internal floor.
- All the proposed windows and doors will be double glazed timber.

### Gable End Timber Cladding

- Unify timber cladding height across both elevations.
- Small openings will be created for bat boxes and bat loft access.

### Internal Layout

- Ensure that there is no division of tenancy between ground and first floor omitting the need to covering up of listed building due to fire protection.
- Allow more flexibility to subdivide two smaller barns into units 2, 3, 4 and 4A if required.

### Units 1, 2, 3 and 4 Roof Insulation and Build Up

- Insulate the barn walls, floor and ceiling to meet an EPC rating.
- Bat friendly vapour open timber fibre roof insulation.
- Roof height increasing by 80mm overall.

### Unit 1 Void

- Create larger usable area at first floor by implement same modifications to the northern half of unit 1 roof structure as approved in southern half to allow headroom and strengthening for insulation.
- Remove external stairs and create internal stair access to first-floor.
- Lower ceiling for bat loft space.

### Unit 2 and 3 Stairs & Voids

- Void at the south & north end for generous entrance area and greater daylight.
- Create first floor mezzanine.

This proposal relates in part to internal work, whereby planning permission is not required, but listed building consent is required and is being considered under WA/2023/00313. However, the application also seeks to change the approved elevation, windows and doors details, which require the benefit of planning permission. The submitted revised drawings associated with this application show the changes to the internal work for consistency with listed building application WA/2023/00313.

### 3. Relevant Planning History

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>
NMA/2022/02803	Amendment to WA/2015/1988 for internal arrangement changes; as well as external envelope improvements.	WITHDRAWN 11/01/2023
WA/2015/1989	Listed Building Consent for the erection of in-fill extension and alterations following demolition of lean-to structures.	LISTED BUILDING CONSENT GRANTED 9/12/2015
WA/2015/1988	Change of Use to B1(a) B1(c) and B8, erection of in-fill extension and alterations following demolition of lean-to structures.	GRANT 9/12/2015

### 4. Relevant Planning Constraints

- Green Belt – outside any settlement
- Surrey Hills AONB & AGLV
- Listed Building
- Article 4 Direction (covers a large area bounded by the Reeds to the north)
- Bridleway Wealden Heaths II SPA 5km Buffer Zone
- Wealden Heaths I SPA 400m Buffer Zone

- Flood Zone 2 (south east part of the site)

## 5. Relevant Development Plan Policies and Guidance

- Waverley Borough Local Plan (Part 1): Strategic policies and sites (adopted February 2018): SP1, TD1, NE1, NE3, EE1, RE2, RE3, HA1, CC1
- Waverley Borough Local Plan (Part 2): Site Allocations and Development Management Policies (adopted 21<sup>st</sup> March 2023) (LPP2): DM1, DM2, DM4, DM5, DM9, DM14 and DM20

Other guidance:

- The National Planning Policy Framework 2021 (NPPF)
- The National Planning Practice Guidance 2014 (NPPG)
- Council's Parking Guidelines (2013)
- Surrey Vehicular and Cycle Parking Guidance (2018)
- Surrey Hills AONB Management Plan (2020-2025)
- National Design Guide (2019)
- Climate Change and Sustainability Supplementary Planning Document (October 2022)

## 6. Plans

See Annex A for existing and proposed plans.

## 7. Consultations and Town/Parish Council Comments

Frensham Parish Council	No comment
Surrey Wildlife Trust	No objection. SWT initially raised concerns regarding the bat surveys and high roost suitability of the building; bat DNA analysis and Barn Owls. The Applicant submitted a response note to the SWT consultation, which SWT are now in agreement with. No conditions were recommended and it is advised that the applicant would need to obtain a bat mitigation licence.
Conservation Officer	Less than substantial harm identified to heritage asset. There are heritage public benefits in getting the building back into a good state of repair and providing a use that will ensure its long-term repair and maintenance. Conditions recommended.
SCC Rights of Way	No objection

Forestry Commission	Advice regarding ancient woodlands, ancient trees and veteran trees standing advice; BNG; and tree licenses
British Horse Society	No objection, ask that the Council makes it a provision of any permission granted that bridleway 513 is kept safe for all users

## 8. Representations

7 letters have been received (from 5 households) raising objection on the following grounds:

- Increased traffic requiring more parking.
- Poor sight lines.
- Highways safety.
- Impact on infrastructure including parking and sewage.
- Contamination to river and SSSI
- Not sustainable.
- Increased noise and disturbance to people living at the end of the track on The Reeds Rd.
- Viability of the farm
- Object to 5 separate units in the building for commercial letting.
- Impact on wildlife from seven days a week operating.
- Danger to the dairy cows leaving grazing area
- Carbon impact.
- Existing breaches to permission WA/2015/1988

3 letters have been received (from 2 households) supporting the application:

- The Old Dairy buildings already renovated to a high standard.
- Enough parking for proposed units.
- Many visitors arrive on foot or increasingly on cycles
- Proposal is sympathetic use of the building.
- Lines of sight are limited to the public road. This hasn't been an issue to date.
- Change of use will ensure the future maintenance of the building.
- Wildlife will be dealt with the care demanded by the law.
- Grain Store needs renovation and occupation.
- Valuable asset to the local and wider community.

1 neutral letter has been received providing the following comments.

- The development fits somewhat with the strategy of the CRT
- Lack of community engagement regarding the proposed changes at the farm.

- Small units developed provided employment for 10–15 people.
- A new sewerage system required to avoid contamination of the River Wey.
- Information should be provided regarding the building's insulation, heating requirements and the source of heating.
- Increased disturbance to people living at the end of the track on The Reeds Rd.

## 9. Planning Considerations:

### 10. Principle of Development and Planning History

The principle of development was established by the granting of planning permission WA/2015/1988 for the change of use to B1(a) B1(c) and B8, erection of in-fill extension and alterations following demolition of lean-to structures. Following the approval of the planning application the scheme has been implemented.

This application seeks to vary condition 1 (approved plans) to allow a change in design to the grain store (Building C) only, where works have not yet started. The application does not seek to amend the change of use approved under the original permission; however, it should be noted that the Use Classes B1(a) and B1(c) now fall within Use Class E(g). Use Class B8 remains valid. Use Class E(g) would be capable of operating out of the existing farm buildings and would not likely adversely affect the rural character or amenities of the area.

Whilst the applicant is applying for a variation of Condition 1 of WA/2015/1988, under Section 73A of the Town and Country Planning Act 1990 (as amended), the proposal is, in effect, a fresh application for the entire development, albeit with a variation to that original condition. In considering the current application officers have been mindful of any material changes in planning circumstances since the granting of that original permission including the adoption of the Local Plan Part 1 (2018), the Local Plan Part 2 (2023) and the NPPF 2021.

Officers also note that there has not been a material change in site circumstances since that application. However, it is a highly material planning consideration that there is an existing permission which has been implemented on site. It would be inappropriate and unreasonable to revisit the principle of the entire development.

Matters that were considered under application WA/2015/1988 and are not affected by the variation of Condition 1 are as follows:

- Principle of development
- Green Belt
- Impact on AONB/AGLV
- Impact on agricultural holding
- Supporting a prosperous rural economy

- Effect on SPA
- Flooding
- Financial considerations
- Biodiversity and compliance with Habitat Regulations 2010
- Accessibility and Equalities Act 2010, Crime and Disorder and Human Rights Implications Environmental Impact Regulations 2011
- Working in a positive/proactive manner

Matters that fall to be considered are as follows:

- Impact on Listed Buildings
- Impact on residential amenity
- Pre Commencement Conditions
- Parking

## 11. Impact on Listed Buildings

Section 16 of the Planning (Listed Buildings and Conservations Areas) Act 1990 states that the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Paragraphs 199, 200, 201 and 202 of the NPPF are of particular relevance.

Policy HA1 of the Local Plan Part 1 (2018) seeks to conserve or enhance the significance of heritage assets to ensure the continued protection and enjoyment of the historic environment.

Policy DM20 of the Local Plan Part 2 (2023) states that development affecting Statutory Listed Buildings should preserve or enhance the buildings and their settings, and any features of special architectural or historic interest they possess.

### **Heritage asset(s) potentially affected:**

- All the grade II listed buildings at Pierrepont Home Farm which form the historic farmstead, but in particular the grain store.

### **Significance of Heritage Assets:**

The listed buildings form a loose courtyard farmstead with an 18th century threshing barn, farmhouse and cottages which was then developed in the 19th century to include a milking parlour, bull pen, cow bryne and blacksmiths. They are all built in local vernacular materials of bargate stone rubble, red brick, ironstone rubble and weatherboarding. The complex of buildings illustrate the differing spatial arrangements of contemporary farms and how the running of this farm may have been undertaken. The grain store is a 19th century, large, two-storey, purpose-built building consisting of three ranges with the corners rounded to prevent damage by carts.

### **Impact of the proposal on the heritage asset's significance:**

The application is to make alterations to the approved scheme for the grain store (under WA/2015/1988 and 1989), which has been part implemented with the other buildings on site. Some of these alterations will remove/alter the appreciation for the original construction such as the raising of the ridge of the roof to allow for insulation, however, subject to details, it will allow for the majority of the timber framework to be visible internally. The installation of internal wall insulation on the exterior walls will obscure this historic fabric but it will still be visible from the exterior, the internal wall divisions will be retained, and compatible materials will be used. The alteration to one of the roof trusses will remove some of the appreciation for the original construction but will create a more useable space.

The relocated roof lights and proposed solar panels will not be easily perceptible from the ground and are therefore acceptable. None of the existing windows have historic glazing, therefore no historic fabric will be lost through their replacement with slimline double glazing. All other alterations are minimal, not impacting the significance.

The grain store (Building C) has remained vacant since the approval of WA/2015/1988. They are redundant as farm buildings as they do not conform to efficient working practises. The buildings are in need of repair but under the approved application it was demonstrated that they are capable of reuse. More importantly their historic interest is such that every effort should be made to support reuse in order that the public benefit gained by their special interest is retained.

The proposal seeks to bring the building back into a good state of repair and providing a use that will ensure its long-term repair and maintenance. Furthermore their reuse would enable the heritage assets to make a positive contribution to the surrounding environment. Less than substantial harm has been identified, however this is considered to be justified whereby the heritage public benefits of bringing the building back into use outweigh the harm. of Subject to conditions, it is considered that the proposed development would be a suitable and sensitive use for the building. The proposal is in accordance with Policy HA1 of the LPP1, Policy DM20 of the LPP2 and paragraphs 199, 200, 201 and 202 of the NPPF.

### **12. Highways and parking**

The NPPF supports the adoption of local parking standards for both residential and non-residential development. The Council has adopted a Parking Guidelines Document which was prepared after the Surrey County Council Vehicular and Cycle Parking Guidance in January 2012. Development proposals should comply with the appropriate guidance as set out within these documents.

The originally approved scheme under WA/2015/1988 provided 22 car parking spaces, and 967sqm of employment space. This worked out as 1 space per 43sqm. This exceeded the Council's Parking Guidelines which indicate 1 space should be provided per 500sqm for B8 uses, or 1 space per 125sqm for office uses. Under WA/2015/1988 the County Highway Authority had undertaken an assessment in



terms of the likely net additional traffic generation, access arrangements and parking provision and it was considered that the application would not have a severe impact on the safety and operation of the adjoining public highway.

This proposal includes the construction of mezzanine floors at the first-floor level of Building C and would result in an approx. 37m<sup>2</sup> reduction in the overall employment floor space available. Whilst the proposal includes internal works and additional partitions to provide more flexible commercial spaces to attract tenants, the proposal does not result in additional commercial floor space, or a change of use.

It is noted that there are a number of objections to the application in relation to highways safety, parking and the number of units proposed. However, Building C already benefits from planning permission and Listed Building Consent for a change of use and associated refurbishment works. The application site would be provided with the same number of parking spaces, it would use the existing approved access arrangements, and as outlined above, no change of use or additional commercial floorspace is proposed.

The proposal is in accordance with Policy ST1 of the Local Plan (Part 1) 2018 and paragraph 111 of the NPPF.

### 13. Impact on residential amenity

Policy TD1 of the Local Plan (Part 1) 2018 and Policy DM5 of the Local Plan Part 2 seeks to protect future and existing amenities for occupant and neighbours and 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. Paragraph 130(f) of the NPPF relates to amenity.

Having regard to the modest alterations to Building C over and above the approved scheme, together with the nature of the approved uses, officers are satisfied that the proposed amendments would be compatible with the existing residential dwellings and would not result in adverse impacts on the amenities of the residential dwellings. The proposal would therefore accord with Policy TD1 of the Local Plan (Part 1) 2018, Policy DM5 of the Local Plan Part 2 and paragraph 130(f) of the NPPF.

### 14. Biodiversity and compliance with Habitat Regulations 2017

Policy NE1 of the Local Plan 2018 (Part 1) and DM1 of the Local Plan Part 2 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.'

Surrey Wildlife Trust initially raised concerns advising that the building has a high roost suitability and requested the applicant's ecologist should justify their confidence in the roost classification of the building. Droppings which resemble long-eared species should be identified to species level through DNA analysis. Lastly, no recent assessment of the building with regards to Barn Owl has been made. Therefore, inadequate information is presented as to whether barn owl or its nesting sites are likely to be adversely affected as a result of the proposed development. Based on currently available information, the development as proposed does not appear to be compliant with the statutory obligations of the Wildlife and Countryside Act 1981, as amended.

The applicant has since submitted a response note to the SWT consultation addressing the points above. Upon review SWT consider that the response note is acceptable, with the conclusions justified by a suitably qualified ecologist. It is advised that the Applicant will be required to obtain a bat mitigation licence, should planning permission be forthcoming. The requirement to obtain a bat mitigation licence should not form a planning condition, but the Applicant must be aware of the requirement. Officers are satisfied that sufficient information has been submitted and the development complies with the relevant policies in this regard.

#### 15. Other Matters

Whilst the applicant is applying for a variation of Condition 1 of WA/2015/1988, under Section 73A of the Town and Country Planning Act 1990 (as amended), the proposal is, in effect, a fresh application for the entire development, albeit with a variation to that original condition. Therefore, relevant conditions included on the original permission would be re-imposed.

#### 16. Conclusion

The planning balance assessment concludes that the proposal would not result in a detrimental impact to the significance or character of the Listed Building, there would be no detrimental impact to highway safety or neighbouring amenity and the proposal would bring the existing building back into viable use. As such the proposal is in accordance with Policies HA1, ST1 and TD1 of the Local Plan (Part 1) 2018, Policies DM5 and DM20 of the Local Plan (Part 2) 2023 and paragraphs 111, 130(f) 199, 200, 201 and 202 of the NPPF, therefore planning permission is recommended for approval.

#### **Recommendation**

That permission be GRANTED subject to the following conditions:

1. Condition:

The plan numbers to which this permission relates are:

In relation to Planning Application WA/2023/00323:

978-14\_PL\_LP01 – Location Plan  
(GA)\_100 Rev D – As Proposed Ground Floor Plan  
(GA)\_101 Rev C – As Proposed First Floor Plan  
(GA)\_102 Rev C – As Proposed Roof Level Plan  
(GA)\_201 Rev D – As Proposed Front and Rear Elevations  
(GA)\_202 Rev C – As Proposed East and West Elevations  
(GA)\_300 Rev B – As Proposed General Section AA and BB

In relation to the Original Permission WA/2015/1988:

1529/PL:

03A – Site Layout Plan  
19A – Proposed Ground Floor Plan (Building D)  
20 – Proposed Roof Plan (Building D)  
21 – Proposed Elevations – Sheet 1 (Building D)  
22 – Proposed Elevations – Sheet 2 (Building D)  
26B – Proposed Floor Plans (Building E)  
27 – Proposed Elevations – Sheet 1 (Building E)  
28B – Proposed Elevations – Sheet 2 (Building E)  
31B – Proposed Floor Plans (Buildings J and K)  
32B – Proposed Elevations (Buildings J and K)

The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason:

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policies TD1 and HA1 of the Local Plan 2018 (Part 1) and Policies DM4 and D20 of the Local Plan Part 2 (2023).

2. Condition:

Space shall be retained and maintained within the site in accordance with the approved plan (Drawing No. 1529-PL03 Rev A under WA/2015/1988) for vehicles to be parked.

Reason:

Required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy ST1 of Waverley Borough Council's Local Plan 2018 and the NPPF 2021.

3. Condition:

The development herein approved shall be carried out in accordance with the Construction Transport Management Plan submitted to the Local Planning Authority and approved on 28 April 2016 pursuant to condition 3 of Planning Permission WA/2015/1988.

Reason:

Required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy ST1 of Waverley Borough Council's Local Plan 2018 and the NPPF 2021.

4. Condition:

The Travel Plan submitted to the Local Planning Authority and approved on 28 April 2016 pursuant to condition 3 of Planning Permission WA/2015/1988 shall be implemented and for each and every subsequent occupation of the development, thereafter maintain and develop the travel plan to the satisfaction of the Local Planning Authority.

Reason:

Required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy ST1 of Waverley Borough Council's Local Plan 2018 and the NPPF 2021.

5. Condition:

The warning sign (drawing number 15037-01) submitted to the Local Planning Authority and approved on 26 April 2016 pursuant to condition 6 of Planning Permission WA/2015/1988 shall be retained and maintained in accordance with the approved details.

Reason:

Required in order that the development should not prejudice the safety of bridleway users in accordance with Policy ST1 of Waverley Borough Council's Local Plan 2018 and the NPPF 2021.

6. Condition:

The operating hours pursuant to this permission shall not take place other than between the hours of 8:00 and 20:00 Monday to Saturday. The operating hours shall not include Sunday or Bank Holidays.

Reason:

To safeguard the amenities of neighbouring occupiers in accordance with Policy

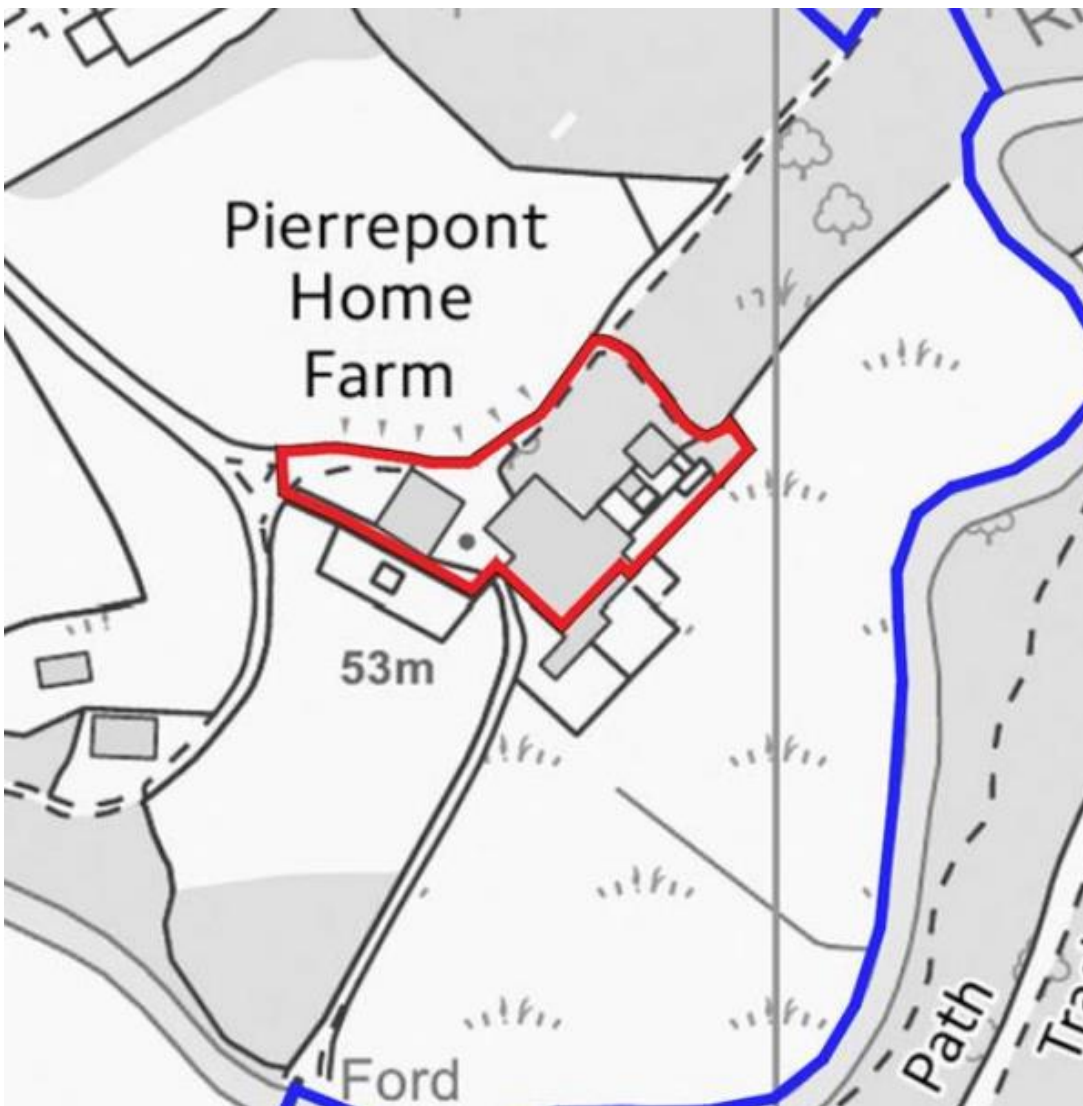
DM1 of the Local Plan Part 2 (2023).

**Informatives:**

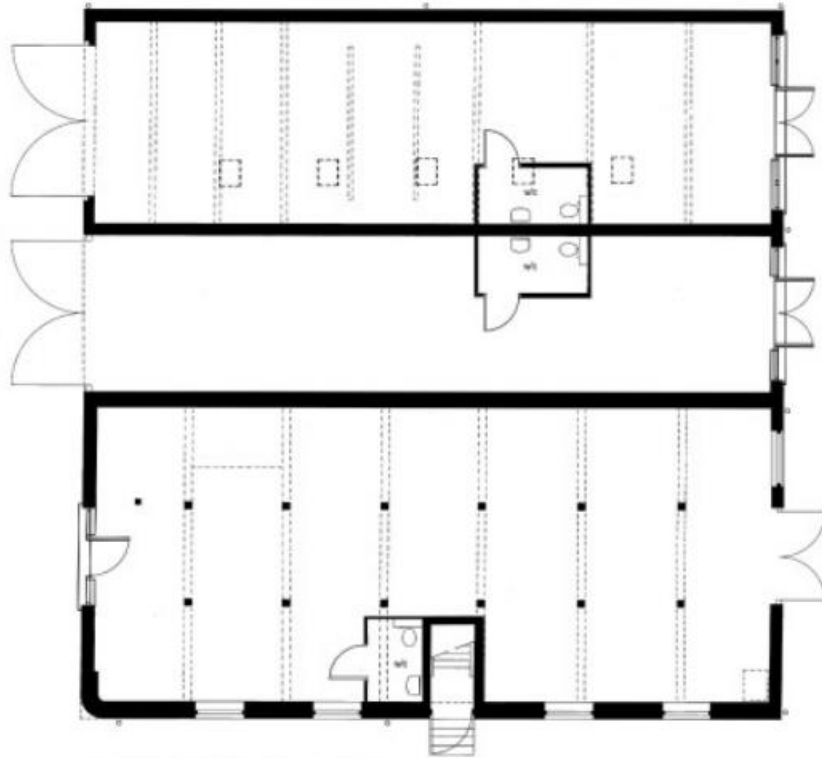
1. The applicant is reminded that it is an offence to disturb protected species under the Wildlife and Countryside Act 1981. Should a protected species be found during the course of the works, the applicant should stop work and contact Natural England for further advice on 0845 600 3078.
2. The developer is advised that a Public Bridleway crosses the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.

Annex A

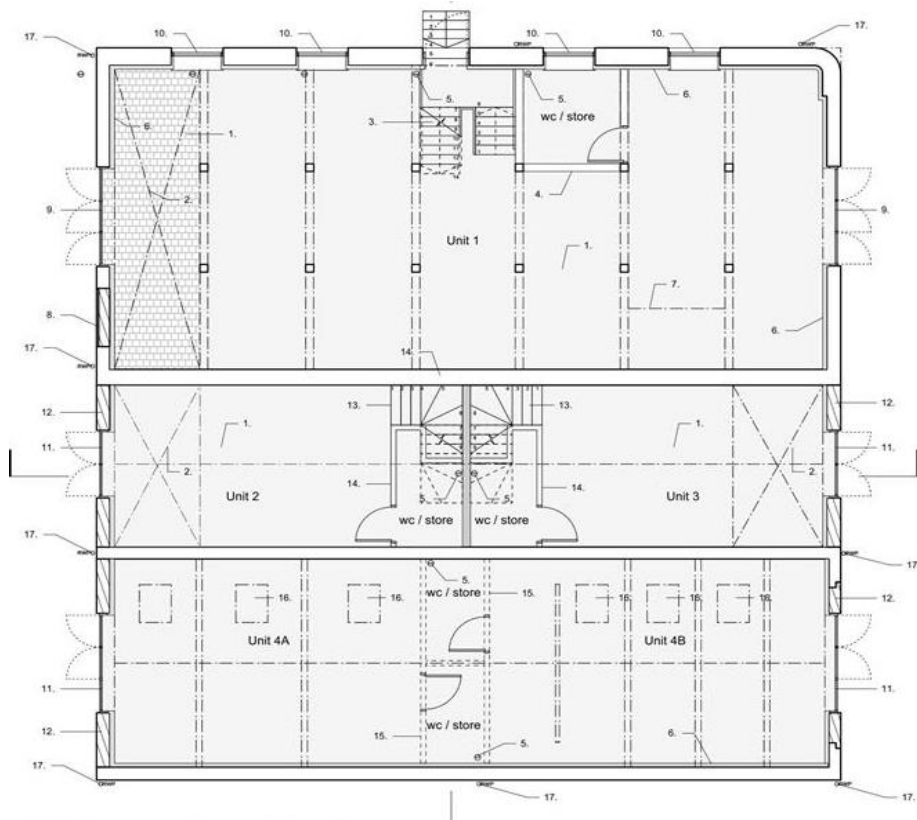
Site Plan



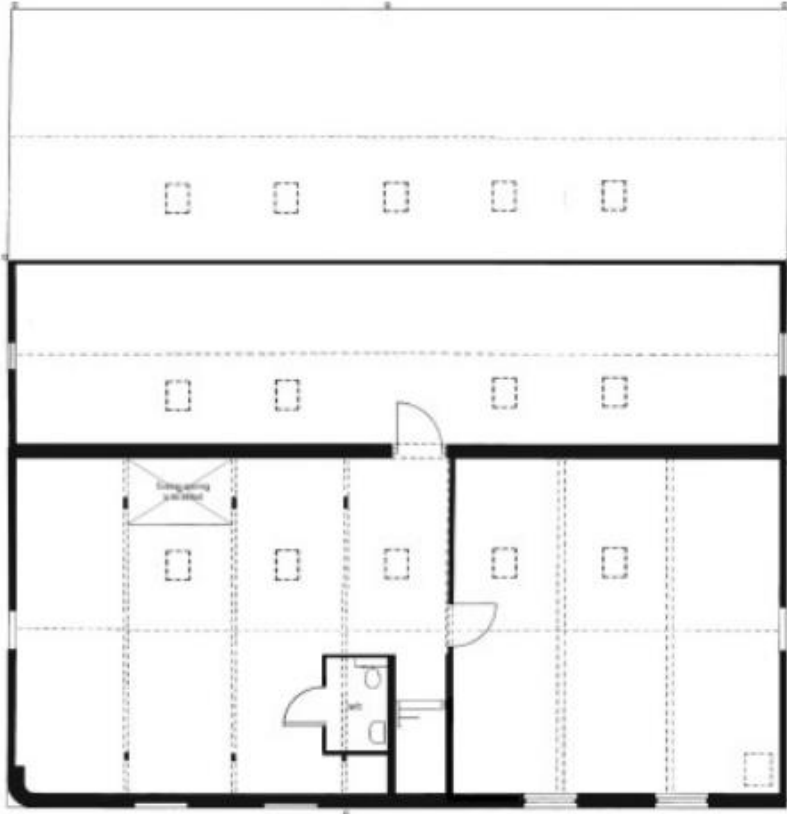
Approved Ground Floor Plan WA/2015/1988



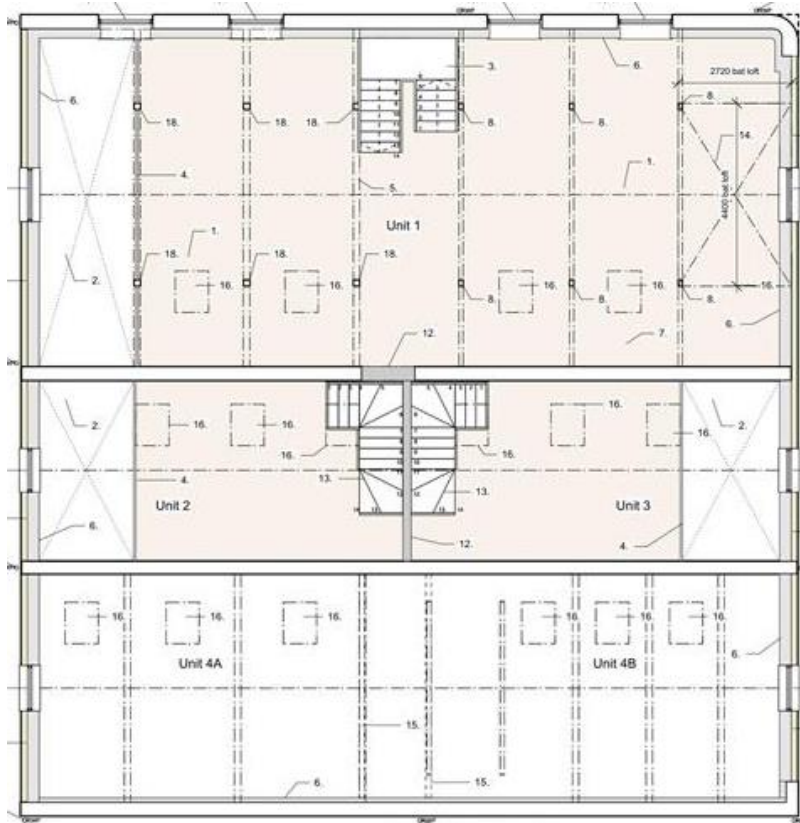
Proposed Ground Floor Plan



Approved First Floor Plan WA/2015/1988

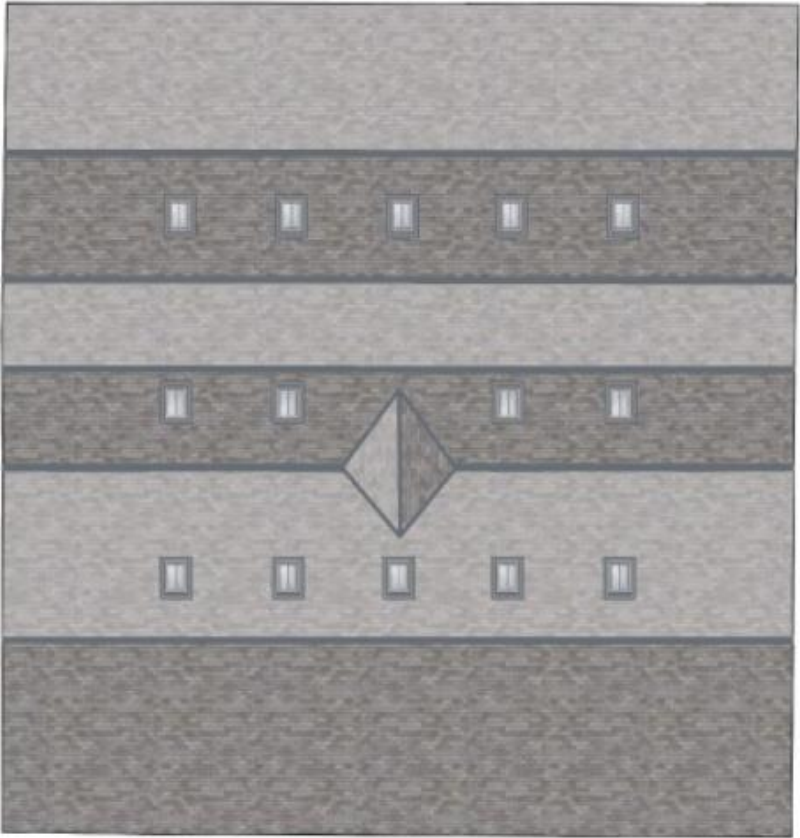


Proposed First Floor Plan

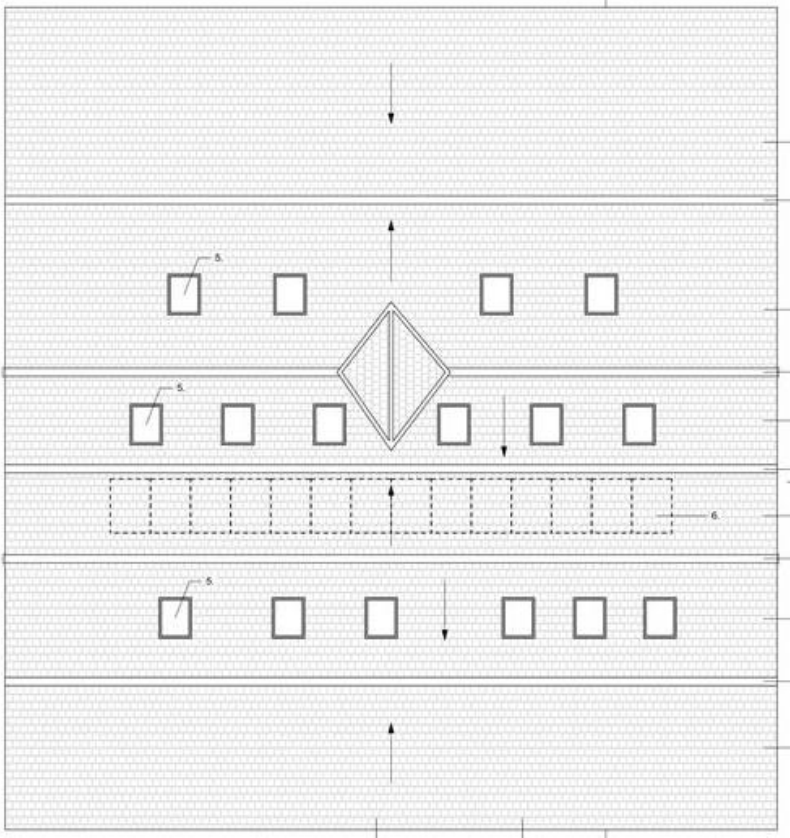




Approved Roof Plan WA/2015/1988



Proposed Roof Plan



Approved South Elevation WA/2015/1988



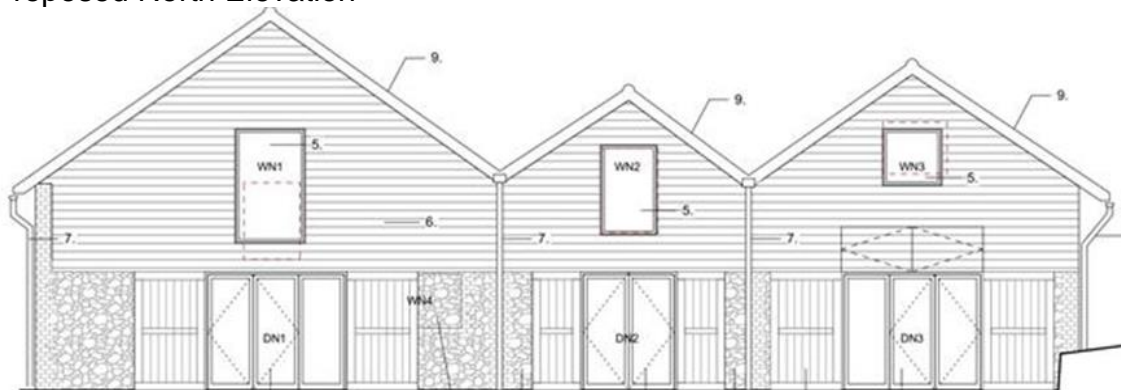
Proposed South Elevation



Approved North Elevation WA/2015/1988



Proposed North Elevation



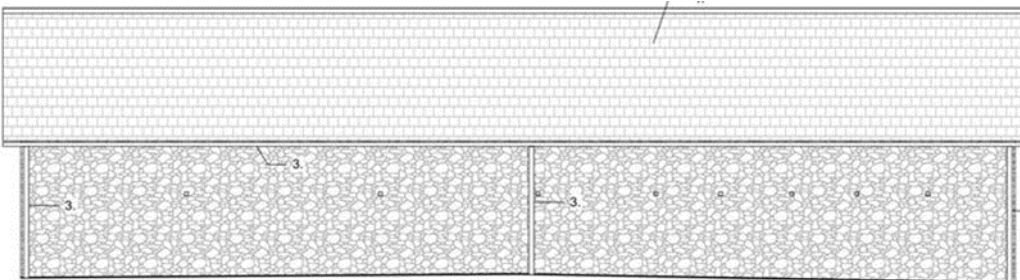
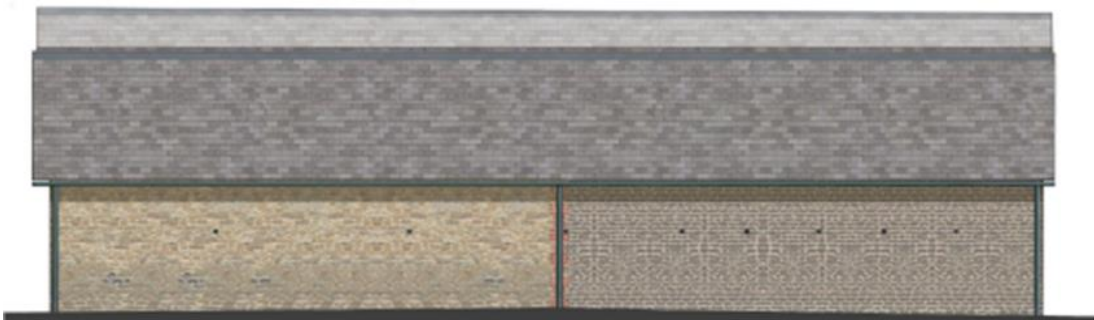
Approved East Elevation



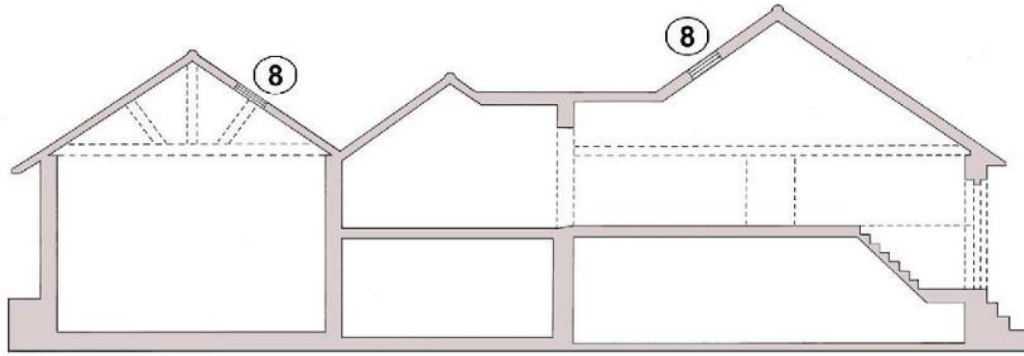
Proposed East Elevation WA/2015/1988



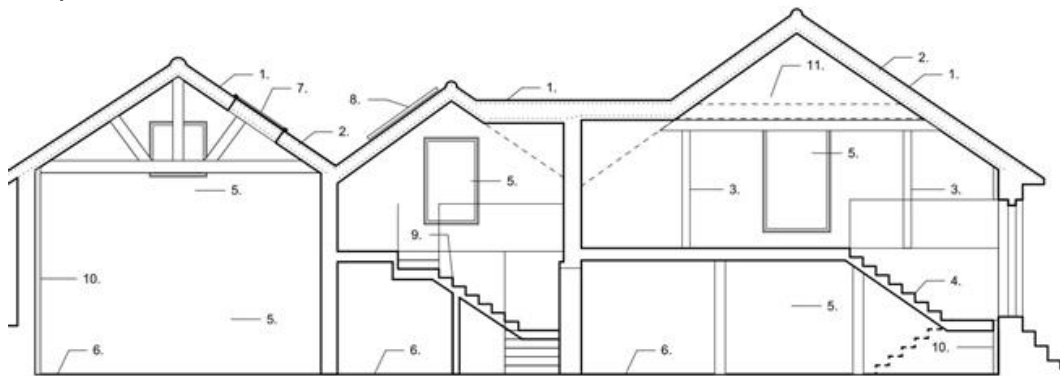
Approved West Elevation WA/2015/1988



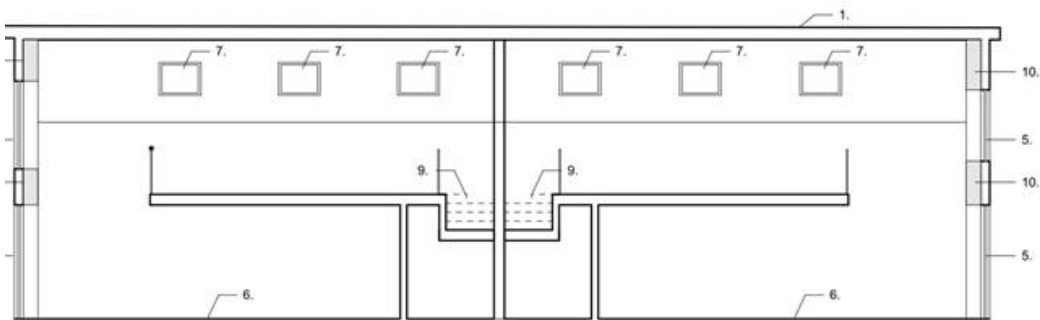
Approved Section Plan WA/2015/1988



Proposed Sections Plans



1 As Proposed General Section AA  
1:100@A3



1 As Proposed General Section BB  
1:100@A3