



Appeal Decision

Hearing Held on 31 March 2026

Site visit made on 31 March 2026

by R. Catchpole BSc (hons) PhD CEcol MCIEEM IHBC

an Inspector appointed by the Secretary of State

Decision date: 17 April 2026

Appeal Ref: APP/M3645/W/25/3371917

Lingfield House, East Grinstead Road, Lingfield, Surrey RH7 6ES

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal of an outline planning permission with only landscaping reserved.
 - The appeal is made by Mr Dan Webber (Marrow Wood (Lingfield) Limited) against Tandridge District Council.
 - The application, reference TA/2024/1079, is dated 3 October 2024.
 - The development proposed is described as: "The conversion of Lingfield House and development of the site to provide an integrated retirement community (Use Class C2) comprising up to 107 independent living apartments and cottages together with associated communal facilities and amenity space provision, a new medical centre (Use Class E), public open space, a reconfigured access from East Grinstead Road and footway improvement works."
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of Lingfield House and development of the site to provide an integrated retirement community (Use Class C2) comprising up to 107 independent living apartments and cottages together with associated communal facilities and amenity space provision, a new medical centre (Use Class E), public open space, a reconfigured access from East Grinstead Road and footway improvement works at Lingfield House, East Grinstead Road, Lingfield, Surrey, RH7 6ES in accordance with the terms of the application, reference TA/2024/1079, dated 3 October 2024, subject to the conditions set out in the schedule at the end of this decision.

Preliminary Matters

2. Both the emerging plan and the Lingfield Neighbourhood Plan are at an early stage and the parties agree that they only carry limited weight at the current time.
3. At the Hearing, the parties confirmed that the proposed changes to the National Planning Policy Framework (the Framework) would not alter either of their respective positions in relation to this appeal.
4. The scheme is in outline with only landscaping reserved for subsequent consideration. This is the basis upon which I have determined this appeal.
5. The appellant submitted revised plans during the determination period to address comments from consultees. I am satisfied that these were consulted upon and that this was not prejudicial to any interests.
6. The Council is satisfied that, subject to conditions, matters relating to ecology and biodiversity net gain have now been addressed and that the third reason for refusal has consequently fallen away.

7. The Council altered its position regarding the benefits of the scheme during the course of the Hearing, as reflected in a revised Statement of Common Ground (SoCG)¹. At close, it accepted that the provision of care accommodation and the contribution this would make to housing land supply would be substantial benefits whilst the additional housing released through downsizing would be a significant benefit.

Applications for Costs

8. An application for a full and partial award of costs is made by the appellant against the Council and an application for a partial award of costs is made by the Council against the appellant. These applications are the subject of separate decisions that will be issued in due course.

Main Issues

9. As the appeal site is in the Green Belt (GB) the main issues are:
- whether the proposal would be inappropriate development in the GB and the effect of the proposal on its openness and purposes;
 - whether or not there is any 'other harm' that would result from the appeal proposal with particular regard to the visual effect on the surrounding area; and
 - whether or not any harm to the GB by reason of inappropriateness, and any 'other harm' identified as arising from the appeal proposal, would be clearly outweighed by 'other considerations', so as to amount to very special circumstances.

Reasons

Background

10. The appeal site (the Site) covers an area of approximately 4 ha comprising the house and gardens of a substantial residential dwelling together with a tennis court, various outbuildings and two agricultural fields to the south and west. The fields are currently used as grazing paddocks. The gardens and fields are well defined and screened by mature vegetation comprising formal hedges, tall hedgerows and tree shelterbelts. The house sits at the highest point of the Site which slopes gently down from east to west and more steeply from north to south where there is approximately a 10 m difference in level.
11. The Site is outside the Lingfield settlement boundary and separated from the rear gardens of the nearest houses by a narrow strip of agricultural land which varies between 18.5 m to 36 m in width. This extends along the entire northern site boundary. The eastern boundary is adjacent to the East Grinstead Road, from which the main access to the site is derived. The southern boundary is adjacent to a farm complex (Jacksbridge Farm) and some isolated dwellings to the south whilst the western boundary is adjacent to the open countryside. There are no existing public rights of way across the Site.

¹ HD2

12. The proposed development of up to 107 units would comprise 79 apartments and 28 cottages and function as an integrated retirement community (IRC) providing an opportunity for older people to live independently in self-contained accommodation whilst having access to 24-hour, on-site care and support alongside a range of community and shared facilities. The residential accommodation would be arranged in 7 new buildings, ranging from 1.5 to 2.5 storeys in height, together with 3 apartments in the existing residential building which would be converted and extended. Integral community hub facilities would also be provided in this building which would include a communal lounge, café dining room, treatment rooms, gym, guest suites, staff and visitor accommodation and a staff office.
13. A standalone two storey, medical centre with parking would be constructed adjacent to the northern boundary of the Site. This is intended to serve the wider community as well as residents of the IRC. The scale and layout of the proposed medical centre has been informed by discussions with the NHS Surrey Heartlands Integrated Care Board and the partners at Lingfield Surgery to ensure that it is capable of meeting the future needs of Lingfield and its outlying catchment. The proposed floorspace would be more than three times the capacity of the existing surgery. The appellant would build out the facility and then hand it over to the existing Lingfield Surgery Partners at nil cost. The partners would obtain the freehold of the building to ensure its use as a medical centre in perpetuity.
14. Car and cycle parking would be provided which would include a maximum of one car parking space per residential unit, 13 spaces for staff and visitors and 61 spaces for the proposed medical centre. Whilst reserved, the landscaping would include the retention of the existing gardens and the creation of a new community orchard. This would be supplemented by new tree planting and habitat creation. Improved pedestrian footpath and road crossing links into the village centre would be provided to enable safe access to the Site for residents and the local community.
15. Turning to policy, the parties agree that there would be no conflict with policy CSP18 of the Tandridge Core Strategy (2008) or policy DP7 Tandridge Local Plan Part 2 Detailed Policies (2014) (the LP). The Hearing confirmed that the Council only finds conflict with policies DP10 B and DP13 E of the LP. These seek to ensure that proposals involving inappropriate development in the GB are only permitted under very special circumstances and that the extension or alteration of buildings does not lead to disproportionate additions.
16. The Council accepts that the proposal would otherwise be consistent with all other development plan policies, subject to conditions. The Council also accepts that policy DP13 is not consistent with the Framework. The parties agree that there is currently only a 1.92-year housing land supply (HLS) and that paragraph 11(d) of the Framework applies. Whilst the Council suggested that Footnote 7 applied in its Statement of Case (SoC), it confirmed at the Hearing that this was not, in fact, the case.

Green Belt Considerations

Effect on Openness

17. The Planning Practice Guide (PPG) explains that an assessment of openness is capable of having both spatial and visual aspects. The spatial aspect is usually

concerned with the quantum of development proposed in relation to what is already present. The visual aspect is usually concerned with how openness is experienced before and after a development is constructed. Its disposition and arrangement can be relevant in gauging the effect on openness as well as the duration of the development and the degree of activity that would result.

18. The Council maintains that the proposed built form, associated access roads, parking and activity would lead to a spatial loss of openness, introducing a significant and permanent urbanising element into otherwise open fields. In visual terms it also maintains that the development would appear as an extension of the settlement into the countryside, which would erode the perception of openness from public viewpoints within Lingfield².
19. However, during the Hearing it conceded that the only public viewpoint of the proposed development would, in fact, be through the site entrance on the East Grinstead Road and that there would be no significant views from Lingfield itself either from Driver's Mead or Lincoln's Mead, as originally set out in its SoC. The Council also maintains that there would be harm to openness arising from disproportionate extensions and alterations to the original house.
20. The appellant points out that the existing house, garden, tennis court and outbuildings do not contribute to spatial openness given the extent of built development and previously developed land directly associated with its residential use which covers approximately a third of the Site. It suggests that the paddocks only make a limited contribution to the spatial aspects of openness due to their limited visibility given their enclosure and a lack of viewpoints from the public domain. Similarly, it accepts that there would be a limited effect on the visual aspect of openness given that there is no development beyond the garden boundary.
21. The Hearing established that the appellant accepts that, despite the gap, the proposed development would nevertheless have the appearance of an extension to the settlement of Lingfield and that urbanisation would result from the loss of the existing paddocks. As far as the extension of the house is concerned, the appellant also accepts that this would cause further harm to openness through a disproportionate increase in its massing.
22. There is no dispute between the parties that harm would be caused to the visual and spatial dimensions of openness and I agree. Whilst there are differences in the magnitude ascribed to this harm, even a limited adverse impact means that openness would not be preserved and that very special circumstances would be required to justify it.
23. In this instance, it is clear that openness would not be preserved and that an adverse impact that would clearly arise from the urbanisation of the paddocks. This would undermine the fundamental aim of the GB. The appeal scheme would therefore be at odds with paragraph 142 of the Framework which seeks to keep GB permanently open.

² Paragraphs 4.8 and 4.9, Lingfield House Appeal Policy Statement November 2025, CD 11.4

Effect on Purposes

24. The parties agree that the proposal would amount to inappropriate development in the GB and that substantial weight should be given to any harm, including to its openness. It is also agreed that the proposal would not meet any of the exceptions to inappropriate development set out in paragraph 154 of the Framework and that it does not meet at least one of the tests of where development should not be regarded as inappropriate in paragraph 155 of the Framework.
25. Although the Council maintained, in its SoC, that the proposal would be contrary to paragraph 155(a) of the Framework, it resiled from this position during the Hearing and accepted that the loss of the Site would not, in fact, undermine the GB across the whole of the development plan area. When questioned about whether it accepted that the site was grey belt, it maintained that this was not the case because the proposal would be contrary to 155(d) and would fail to meet all of the 'Golden Rules' set out in paragraph 156 of the Framework. It conceded that the Site nevertheless had "*grey belt characteristics*". There is little difference between the parties on this matter and the appellant accepts that the proposal would not meet the requirements of paragraph 156(a) because the proposal would not provide affordable housing.
26. Turning to the purposes, the Council confirmed at the Hearing that the only purpose that the proposal would offend relates to 143(c) of the Framework because the site is in the open countryside and serves a transition between the built environment and the wider GB. It suggests that the scale and extent of development would represent an unacceptable encroachment into the surrounding countryside and that the Site makes a strong contribution to safeguarding it from any such encroachment.
27. The appellant disputes this position and suggests that the Site only makes a limited contribution to purpose 143(c) because around a third of it is previously developed land which has a residential character and is not consequently read as countryside. It also highlights the Council's own GB assessment that was carried out between 2015 and 2018³. This states that the Site only forms a very small part of a much more extensive tract of land extending from the southern edge of Lingfield to the north of East Grinstead. Its primary function is to check the urban sprawl from East Grinstead and safeguard the countryside from encroachment.
28. This assessment is also highlighted in an extract in the Council's SoC⁴. I note that the critical role of this parcel specifically relates to checking urban sprawl from East Grinstead and preventing it expanding northwards and that it also has an important role in maintaining the setting and special character of the Lingfield Conservation Area, which the parties agree would be preserved by the proposed development. The Council conceded that only a small part of the parcel would be affected and that there would therefore be no significant impact on the purpose of the wider parcel. However, I find that there would be clear encroachment and urbanisation of the Site which, whilst localised in terms of the larger land parcel, would nevertheless be contrary to paragraph 143(c). This is accepted by the appellant.
29. Given the above, I conclude that the proposal would lead to inappropriate development which is harmful by definition. It would also cause harm to the

³ Parcel 042, Appendix D, CD 6.5

⁴ Paragraph 4.15, Appendix 2

openness of the GB and the purposes of including it, bearing in mind the encroachment that would result. Paragraph 153 of the Framework indicates that this harm attracts substantial weight against the proposal which should not be approved except in very special circumstances, as reflected in the wording of policy DP10 B of the LP.

Other Harm

Character and Appearance

30. The Council maintained, in its SoC, that the proposal would cause additional and distinct visual harm beyond that identified in relation to the GB harms. It suggested that the site forms part of the visual and physical setting of Lingfield and that it provides a sense of containment. The Council opined that the proposal would erode this function and create an abrupt and incongruous, detached edge to the settlement. It also maintained that the visual massing of various blocks, in combination with the topography of the site, would lead to unacceptable visual impact from various public viewpoints. However, and as previously noted, the Council conceded that such views were not possible and that the proposal would only be visible through the main entrance.
31. The appellant points out that the position taken at appeal differed from the case officer's report which found that there would be a positive contribution to open rural character and that views would be localised⁵. It also highlights the conclusions of its own landscape and visual impact assessments (LVIA) which suggest that the visual impact of the proposal would be minor-adverse and mainly affect the users of East Grinstead Road who would glimpse the new buildings through the main entrance when passing the Site⁶. A minor-adverse to negligible impact is also acknowledged in relation to a limited, oblique view from the village recreation ground. The appellant suggests that the Council has consequently overstated this impact and that only limited harm would, in fact, result.
32. The Hearing established that the Council does not dispute any of the methodologies or the conclusion of the LVIA in terms of the visual effects of the proposal. The Council confirmed that it had not relied on any expert landscape evidence of its own in coming to a conclusion concerning the visual massing and prominence of the blocks. The Council altered its position during the Hearing and accepted that the effect would only be minor-adverse in response to one of my questions and conceded that the significant weight that it gave to this harm was "*difficult to justify*" under the circumstances.
33. My own observations of the site confirm that visual receptors would mainly be limited to users of the East Grinstead Road and that the effect would be negligible on users of the recreation ground. I also note that the absence of any photomontages or sections from the west and the south is simply due to the fact that there was nothing to show given the dense vegetation and enclosure of the site which I observed before deciduous trees were in leaf. I note that the drone footage that the Council relied upon but do not find it persuasive⁷. This is because it shows the site from perspectives that would never be experienced by any visual receptors

⁵ Paragraphs 151 and 155, CD 3.1

⁶ CD 1.49 and Appendix 1, Appellant's SoC

⁷ Appendix 3, Council's SoC

and it also distorts images through the use of a wide-angle lens which makes the existing massing of Lingfield House seem greater.

34. Given the above and in the absence of any technical, expert evidence to the contrary, I find that only limited harm would be caused to the character and appearance of the surrounding rural area. As confirmed during the Hearing, the Council does not find this contrary to any development plan policy.

Other Considerations

35. The range of other considerations in favour of the development were highlighted by the appellant and the weight to be attributed to the majority of these considerations is disputed. However, it is common ground that substantial weight should be given to the provision of extra care accommodation, that significant weight should be given to the release of under-occupied housing as well as the health and wellbeing benefits of the IRC and that moderate weight should be given to the economic benefits of the scheme.⁸ After careful consideration of the facts, I see no reason to reach a different conclusion in relation to these matters. I consider the weight to be given to the remaining, disputed benefits as follows:

- The contribution to 5-year HLS is significant given the chronic and continuing shortfall in the supply of housing which the emerging plan will take some time to remedy given its early stage of preparation. I also note from the SoCG that the most recent results of the Housing Delivery Test show that the Council is providing just 38% of its housing requirements. Taken together with the 1.92-year supply, I find this to be a particularly dire situation that 107 new dwellings would help to address in no small measure. Consequently, I find that this benefit carries substantial weight in favour of the development.
- The provision of a new medical centre to serve the local community on land close to the existing surgery represents a significant public benefit for which there is widespread support. The existing practice is at capacity with treatment being limited to just three rooms whilst serving more than 3,000 patients⁹. I also note that there has been no progress in delivering a new surgery on the existing site nor any indication that the requirements of the NHS Surrey Heartlands Integrated Care Board can be met at this location. This has even led the Council to question the effectiveness of financial contributions towards enhancing the existing facilities in relation to a development at Orchard Court¹⁰. Given the above, I find this carries substantial weight in favour of the development.
- The lack of alternative sites is supported by an alternative sites assessment which confirms that there are no other sites within the District, outside the GB, which are large enough to deliver a retirement community of the type proposed¹¹. The assessment identifies a total of 343 potential sites from all available sources with no sites considered to be both suitable and achievable. This finding is not disputed by the Council and I have no reason to disagree with this evidence. This is within the context of a current shortfall

⁸ Table 2, HD2

⁹ Oral evidence, Dr Quereshi, Lingfield Medical Practice

¹⁰ Appendix 25, Appellant's SoC

¹¹ CD 1.45

of 368 specialist housing units within the District that will rise to 427 in 2035¹² as well as the critical need to provide housing for older people highlighted in the PPG¹³. Given the above, I find that this carries significant weight in favour of the development.

- The financial contribution to affordable housing comprises an off-site affordable housing contribution of £350,000. The appellant points out that the level of contribution is proportionate to the number of units and similar to the amount agreed in relation to another scheme in Lingfield. Although limited in terms of local housing development costs, I accept that it could be combined with other contributions and thus make a meaningful difference. As such, I find that this carries moderate weight in favour of the development.
- The provision of public open space was the subject of some discussion at the Hearing and the lack of suitable space in the village for quiet enjoyment was highlighted¹⁴. Unchallenged evidence suggests that the existing recreation space is dominated by sport and children's recreation which makes it poorly suited to rest and relaxation. Whilst on the edge of the village, I note that the proposed public open space would nevertheless be within a reasonable walking distance from the centre. Given the above, I find this carries moderate weight in favour of the development.
- The delivery of a Biodiversity Net Gain (BNG) of at least 10% is no more than expected by statute and the delivery of wider landscaping benefits are a reserved matter. However, a measurable change in the biodiversity value of the Site would nevertheless be delivered that would be beneficial. As such, I find that this carries limited weight in favour of the development.
- The local road infrastructure improvements are no more than required to mitigate the road safety impacts that would arise from the proposal. I therefore find that this carries negligible weight in favour of the development.

Other Matters

36. The Council has drawn my attention to a number of appeal decisions in its SoC. Whilst I have paid careful attention to these decisions, the circumstances are not the same in all respects. I am also unaware of the specific evidence or arguments that were put to those Inspectors. Consequently, this appeal has been determined on its individual merits and the evidence before me. The weight I have given to the harms and benefits in this case have not been fettered by the opinions of other Inspectors as a result and I have considered matters afresh.
37. The Council does not dispute the proposal would be an IRC but suggests that it is a "cynical attempt" to fit the proposal to the C2 use for what could otherwise be interpreted as C3 use for the bulk of the development. It notes that most of the self-contained residential accommodation is akin to C3 units for the 55+ age group. It also draws my attention to the Surrey County Council Adult Social Care consultation response in relation to this matter¹⁵.

¹² CD 6.3

¹³ Paragraph: 001 Reference ID: 63-001-20190626

¹⁴ HD1

¹⁵ CD 8.25

38. I do not find this credible for two main reasons. Firstly, Tandridge's own commissioning statement clearly states that specialist housing, which includes extra care, comprises groups of homes designated for older people who are typically 55+ which have access to flexible personal care and shared facilities¹⁶. Secondly, the conclusion of the Surrey County Council consultation response notes the importance of using the Associated Retirement Community Operators (ARCO) model planning obligation wording, as highlighted in the SoCG and implemented in the Unilateral Undertaking. I also note that the units can only be occupied by a qualifying person who has entered into a contract to receive a care and wellbeing package throughout their occupation¹⁷. Furthermore, the proposed development would comply with the ARCO minimum criteria for retirement communities¹⁸.
39. Additional concerns raised by objectors at the application stage to the proposed development are acknowledged. These matters were considered in the case officer's report and I support the view that the concerns raised do not warrant the refusal of the scheme, subject to conditions, and these matters were therefore not determinative in the conclusion I reached.

Very Special Circumstances

40. The Framework states that inappropriate development should not be approved except in very special circumstances. These will not exist unless the potential harm to the GB by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Substantial weight must be given to the harm to the GB due to the inappropriate nature of the proposed development and the harm that this would cause to openness.
41. Other harm would be caused to the character and appearance of the local area but this effect would only be glimpsed through the main site entrance. As such, I give this harm limited weight. This weighs against the proposal in addition to the harm that would be caused to the GB.
42. On the other hand, the proposal would provide benefits attracting substantial weight in relation to housing land supply, the provision of extra care accommodation and the construction of a new medical centre. Further benefits relating to the release of under-occupied housing, health and wellbeing and lack of alternative sites would attract significant weight whilst economic benefits, the affordable housing contribution and the public open space would attract moderate weight. A further benefit attracting limited weight would be associated with BNG delivery with the road improvements only attracting negligible weight.
43. On balance, I consider that the factors that weigh in favour of the proposal clearly and demonstrably outweigh the harm that would be caused to the GB and the other harm that would result. Therefore, the proposed development would accord with the Framework when taken as a whole. It would also accord with the development plan when taken as a whole, with the exception of policy DP13 E of the LP. However, as this policy is out-of-date I give limited weight to this conflict and find that permission should be granted in line with paragraph 11(d) of the Framework.

¹⁶ Page 3, CD 11.11

¹⁷ Part 2, Schedule 3, Unilateral Undertaking

¹⁸ Figure B, CD 9.1

Conditions and Undertaking

44. I have considered both the wording and grounds for the conditions agreed with the Council in accordance with the tests set out in paragraph 56 of the Framework. Subject to the amendments that were considered in the round table discussion, I am satisfied that they meet the necessary requirements. Furthermore, all pre-commencement conditions have been accepted by the appellant in writing and are consequently compliant with the necessary legislation.
45. The submitted Unilateral Undertaking was subject to consultation with the Council and agreement through the SoCG. It aims to: secure the construction of the new medical centre according to an agreed specification; restrict the occupation of units to the approved use class; secure the approval and implementation of a Travel Plan; ensure the delivery of highways works through a s278 highway agreement; secure the creation and management of a community orchard; provide training opportunities for local people during the construction phase; and make various contributions. These relate to monitoring/auditing fees, a Traffic Regulation Order to alter the speed limit and a contribution to the provision of off-site affordable housing.
46. The Council confirmed at the Hearing that the sums sought are fairly and reasonably related to the development. In the absence of evidence to the contrary, I am satisfied that the sums sought are justified. I consider that the measures are necessary, related directly to the development and fairly related in scale and kind. As such, they would accord with the provisions of Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the tests for planning obligations set out in the Framework.

Conclusion

47. For the above reasons and having regard to all other matters raised I conclude that, subject to the attached schedule of conditions and the obligations in the planning agreement, that this appeal should be allowed.

Roger Catchpole

INSPECTOR

APPEARANCES

For the Council

Mr Rainier BSc (hons) BTP MRTPI

For the Appellant

Mr Walton KC (Barrister)

Ms Bolger FLI DipLA BA PGCE (Landscape)

Mrs Venables BSc (hons) MSc MRICS (Care Needs)

Mr Kearley MA MPhil MRTPI (Planning)

Interested Parties

Ms Lockwood (Local Resident)

Richborough

DOCUMENTS SUBMITTED

HD1 – Statement Transcript (Lockwood)

HD2 – Revised SoCG

HD3 – Revised Condition No 8 (Council)

Richborough

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall start before the expiration of 3 years from the date of this permission or 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2) No development shall commence until written approval of the proposed landscaping (hereinafter called "the reserved matters") is obtained from the Local Planning Authority. Detailed plans and particulars of the reserved matters shall be submitted in writing not later than 3 years from the date of this permission and shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004.

- 3) The development hereby permitted shall be carried out in strict accordance with the following approved plans:

FL23-2115-255 Substation
FL23-2115-190 Building F Proposed Ground Floorplan
FL23-2115-253 Bin and Cycle Store Building F and G
FL23-2115-196 Building F Proposed Rear and Left Flank Elevations
FL23-2115-193 Building F Proposed Roof Plan
FL23-2115-191 Building F Proposed First Floorplan
FL23-2115-192 Building F Proposed Second Floorplan
FL23-2115-195 Building F Proposed Front and Right Flank Elevations and Building Section
FL23-2115-252 Bin and Cycle Store Building D, E and Lingfield House
FL23-2115-166 Building B and C Proposed Rear and Left Flank Elevations
FL23-2115-163 Building B and C Proposed Roof Plan
FL23-2115-161 Building B and C Proposed First Floorplan
FL23-2115-136 Lingfield House Proposed Sections
FL23-2115-133 Lingfield House Proposed Roof Plan
FL23-2115-132 Lingfield House Proposed Second Floorplan
FL23-2115-131 Lingfield House Proposed First Floorplan
2102036-09B Off-site Highways Works Plan
2115 Rev B Street Scene Visualisation
FL23-2115-170 Building D Proposed Ground and First Floorplans A
FL23-2115-050 Site Location Plan
FL23-2115-051 Existing Block Plan
FL23-2115-130 Lingfield House Proposed Ground Floorplan
FL23-2115-080 Existing Street Scene A-A
FL23-2115-105 Lingfield House Existing Second Floor and Roof Plan
FL23-2115-092 Lingfield House New-Built Diagram

FL23-2115-091 Lingfield House Demolition Diagram
FL23-2115-100 Lingfield House Existing Ground and First Floor Plan and Section
FL23-2115-110 Lingfield House Existing Elevations
FL23-2115-151 Medical Centre Proposed Roof Plan A
FL23-2115-086 Proposed Site Sections A
FL23-2115-063 Refuse Strategy A
FL23-2115-061 Building Heights A
FL23-2115-251 Nin and Cycle Store Building B, C and H (rev A)
FL23-2115-206 Building G Proposed Rear and Left Flank Elevations A
FL23-2115-202 Building G Proposed Roof Plan A
FL23-2115-185 Building E Proposed Elevations and Section A
FL23-2115-180 Building E Proposed Ground and First Floor Plans A
FL23-2115-055 Proposed Site Layout A
PR272-01J Illustrative Landscape Master Plan J
FL23-2115-056 Proposed Site Layout A
FL23-2115-175 Building D Proposed Elevations and Section A
FL23-2115-181 Building E Proposed Roof Plan Rev A
FL23-2115-201 Building G Proposed First Floorplan A
FL23-2115-205 Building G Proposed Front and Right Flank Elevations and Section A
FL23-2115-250 Bin and Clinical Waste Store Building A (Rev A)
FL23-2115-060 Building Mix A
FL23-2115-062 Parking Strategy A
FL23-2115-085 Proposed Street Scene A-A (Rev A)
FL23-2115-150 Medical Centre Proposed Plans A
FL23-2115-155 Medical Centre Proposed Elevations and Section A
FL23-2115-171 Building D Proposed Roof Plan Rev A
2115 CGI 01 CGI 01
2102036-SK-04 Vertical Visibility Splay South
2102036-04F Proposed Access Arrangements
2102036-09B Alternative Highway Improvements
FL23-2115-135 Lingfield House Proposed Elevations
FL23-2115-160 Building B and C Proposed Ground Floor
FL23-2115-162 Building B and C Proposed Second Floor
FL23-2115-165 Building B and C Proposed Front and Right Flank Elevations and Building Section
FL23-2115-215 Building H – Proposed Elevations and Building Section
FL23-2115-210 Building H – Proposed Ground and First Floor Plans
FL23-2115-211 Building H – Proposed Second Floor and Roof Plans
FL23-2115-081 Existing Site Sections

Reason: For the avoidance of doubt and in the interests of proper planning.

- 4) The reserved matters application shall include but not be limited to the following details: Finished levels or contours; the means of enclosure; hard surfacing materials; minor artefacts and structures such as furniture, play equipment, refuse or other storage units, signs and lighting; compensatory tree and hedgerow planting; any earthworks and/or grassed areas; any soft landscaping works and a timetable for undertaking all of the proposed hard and soft landscaping works.

Details of soft landscape works shall include all proposed and retained trees, hedges and shrubs; ground preparation, planting specifications and ongoing maintenance, together with details of areas to be grass seeded or turfed. Planting schedules shall include details of the location, species, plant sizes and proposed numbers/densities.

Any trees or plants (including those retained as part of the development) which within a period of 5 years from the completion of the development die, are removed, or, in the opinion of the District Council, become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species where practicable.

All new hard and soft landscaping shall be undertaken in accordance with the approved timetable that forms part of the details to be submitted and approved by the Local Planning Authority.

Reason: To ensure that the landscape and visual impact of the development is acceptable in accordance with Policies CSP16, CSP18 and CSP21 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014 and the NPPF.

- 5) No development (excluding initial site clearance) shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the archaeological interests of the site in accordance with Policy DP20 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014

- 6) At least 28 days before the development hereby permitted commences, a detailed written scheme of assessment of contamination risk consisting of site reconnaissance, conceptual model, risk assessment and schedule of investigation shall be submitted to and approved in writing by the Local Planning Authority.

Before commencement of development above ground level, the scheme of assessment shall be carried out at such points and to such depth as the Local Planning Authority may reasonably stipulate, including suitable consideration of asbestos.

All laboratory results shall be provided as numeric values in an electronic formatted spreadsheet in accordance with the standards of the Government Guidance for Land affected by Contamination. Should contamination be found, a scheme for decontamination and validation shall then be agreed in writing by the Local Planning Authority.

The approved scheme, including provision of suitable soft landscaping where necessary, shall be implemented before any part of the development hereby permitted is occupied.

Reason: This condition is essential to ensure satisfactory amelioration of contaminated land, in accordance with Policy DP22 of the Tandridge Local Plan: Part 2 Detailed Policies 2014

- 7) Prior to installation, a lighting report to show the position of the lights and adherence to the requirements of the Institute of Lighting Professionals

Guidance Notes for the Reduction of Obtrusive Light shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained for the duration of the development.

Reason: To protect the amenities and privacy of occupiers of neighbouring properties in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

- 8) Noise from the use of air source heat pumps shall conform to the advice given in the Institute of Acoustics and Chartered Institute of Environmental Health Professional Guidance Note on Heat Pumps, which recommends a maximum sound rating level of <35 dB at any noise-sensitive façade of neighbouring residential premises.

Reason: To protect the amenities and privacy of occupiers of neighbouring properties in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

- 9) No development shall commence, including initial site clearance, until a suitable scheme for the protection of existing trees and hedgerows has been submitted to and approved in writing by the Local Planning Authority and fully implemented according to the approved details. All protection measures must fully detail each stage of the development process taking into account demolition/site clearance works, all construction works and hard and soft landscaping works.

Details shall include the following:

- a) Full survey of all trees on site and those within influencing distance on adjacent land in accordance with BS 5837:2012 or subsequent version. All trees must be plotted on a site plan at a minimum scale of 1:200. This plan shall clearly and accurately depict trunk locations, root protection areas and canopy spreads.
- b) A plan detailing all trees and hedgerows planned for retention and removal.
- c) A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS 3998:2010 or subsequent version.
- d) Site specific demolition and hard surface removal specifications.
- e) Site specific construction specifications such as bridging, installation of underground services, surfacing, foundations of all structures, within the root protection areas.
- f) Construction diagrams and sections for the no dig surfacing within the RPA of T1.
- g) All level changes.

- h) A Tree Protection Plan in accordance with BS 5837:2012, or subsequent version, detailing all methods of protection, including but not restricted to: locations of construction exclusion zones, root protection areas, fit for purpose fencing and ground protection, service and drainage routes and soakaways, works access space, material/machinery/waste storage and permanent and temporary hard surfaces.

All tree protection methods detailed in the approved scheme shall not be moved or removed, temporarily or otherwise, until all works, including external works, have been completed and all equipment, machinery and surplus materials have been removed from the site.

Reason: To prevent damage to trees in the interest of the visual amenities of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

- 10) No development shall commence, including any site clearance works, until a Tree Monitoring Program is submitted to and approved in writing by the Local Planning Authority. This shall include:
- a) Confirmation of who shall be the lead arboriculturist for the development.
 - b) Confirmation of the site manager, key personnel, their key responsibilities and contact details.
 - c) Details of induction procedures for all personnel in relation to arboricultural matters.
 - d) A detailed timetable of events for arboricultural supervision concerning the approved tree protection measures shall include:
 - Prestart meeting with a Tandridge District Council Tree Officer;
 - Initial implementation/installation of the tree protection measures; and
 - Final removal of the tree protection measures.

Within three months of first use of the development hereby approved, a report containing the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Results of each site visit by the lead arboriculturist with photos attached.
- b) Assessment of the retained and planted trees including any necessary remedial action as a result of damage incurred during construction.

Reason: To prevent damage to trees in the interest of the visual amenities of the area in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7 of the Tandridge Local Plan: Part 2 Detailed Policies 2014.

- 11) The development hereby approved shall not be first occupied unless and until the following highways improvements have been provided through a Section 278 Agreement with the County Highway Authority (CHA), in general

accordance with plan reference 2102036-09 Revision B but subject to detailed technical review and to the satisfaction of the CHA, including the following items:

- a) A minimum 3 m wide, shared footway and cycleway to be provided on the western side of East Grinstead Road connecting the site access to the existing footway at Drivers Mead.
- b) Provision of any necessary road safety measures to achieve the footway specified in condition 11(a), including a build out and give-way arrangement, with priority for traffic leaving the village, along with signage, keep clear markings, advanced warning, street lighting and any other appropriate road safety features as identified through the section 278 technical approval and Road Safety Audit process.
- c) A continuous, level shared use pedestrian and cycle crossing on the western side of East Grinstead Road, across the entrance to Drivers Mead.
- d) A minimum 3 m wide shared footway and cycleway to be provided on the western side of East Grinstead Road from the crossing specified in condition 11(c), continuing as far north as is achievable within the extent of the public highway and providing dropped kerb access for cycles.
- e) A minimum 3 m wide shared footway and cycleway to be provided on the eastern side of East Grinstead Road, between the access to the care home and the crossing detailed in condition 11(f), including dropped kerb access for cycles.
- f) A new crossing over East Grinstead Road, south of Drivers Mead, connecting the proposed shared use footways on either side of East Grinstead Road. Subject to feasibility, this should take the form of a parallel crossing, providing priority for both pedestrians and cycles. Failing this, a pedestrian refuge island shall be provided, measuring 3 m in width and provided with dropped crossings and tactile paving.
- g) Relocation of the 40/30 mph speed limit signs to a position to be agreed with the County Highway Authority and subject to TRO approval.
- h) The provision of new bus stops on the eastern and western side of East Grinstead Road, both to be provided with the following facilities:
 - A 9 m straight length of accessible kerbing at 140 mm in height;
 - 23 m bus cage markings and bus stop clearways;
 - Bus shelters with lighting and seating;
 - Bus flag and pole;
 - Real Time Passenger Information; and
 - A minimum of a 3 m width footway at the bus stops.

Reason: The condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the

National Planning Policy Framework 2024, in particular paragraphs 116 and 117.

- 12) No part of the main development shall commence unless and until the proposed vehicular access to East Grinstead Road has been constructed and provided with the following in general accordance with drawing no. 2102036-SK-04 and drawing no 2102036-04F as follows:
- a) Visibility splays of 2.4 m x 86 metres to the north of the site access, and thereafter the visibility splays shall be kept permanently clear of any obstruction between 0.6 and 2.0 m above ground level.
 - b) Visibility splays of 2.4 m x 99 metres to the south of the site access, and thereafter the visibility splays shall be kept permanently clear of any obstruction between 1.05 and 2.0 m above ground level.
 - c) A means within the private land of preventing private water from entering the highway.
 - d) Details of regrading the bank to ensure no obstruction to visibility.
 - e) Details of retaining structure required to facilitate construction of the access and regrading of the bank and proposed earthwork gradients.

Reason: The condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2024, in particular paragraphs 116 and 117.

- 13) The C2 residential elements of the development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for 126 vehicles (107 for residents and visitors, along with 19 spaces for Lingfield House, 6 of which to be disabled parking spaces) to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear. Thereafter the parking/turning areas shall be retained and maintained for their designated purposes for the lifetime of the development.

Reason: The condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2024, in particular paragraphs 116 and 117.

- 14) The medical centre element of the development hereby approved shall not be brought into first use unless and until space has been laid out within the site in accordance with the approved plans to provide 39 parking spaces, including 33 spaces for visitors / patients, 5 for staff parking and one ambulance / delivery vehicle parking space, to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear. Thereafter the parking/turning areas shall be retained and maintained for their designated purposes for the lifetime of the development.

Reason: The condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the

National Planning Policy Framework 2024, in particular paragraphs 116 and 117.

- 15) The development hereby approved shall not be first occupied unless and until facilities for high quality, secure, lit, accessible and covered parking of bicycles and mobility scooters and the provision of a charging point with timers for e-bikes and mobility scooters by said facilities have been provided within the development site to provide space for at least one cycle per dwelling (minimum of 107 spaces), at least 4 cycles for staff at Lingfield House and a further at least 6 for staff and visitors at the proposed medical centre (totalling 117 cycle parking spaces across the site), in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2024, in particular paragraphs 116 and 117.

- 16) The approved Travel Plan shall be implemented prior to first occupation and for each and every subsequent occupation of the development, thereafter the Travel Plan shall be maintained and developed to the satisfaction of the Local Planning Authority.

Reason: The condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2024, in particular paragraphs 116 and 117.

- 17) The medical centre element of the development hereby approved shall not be first brought into use unless and until information packs concerning local sustainable transport infrastructure and facilities have been made available on site for staff, thereafter the Sustainable Travel information on site shall be maintained and developed to the satisfaction of the Local Planning Authority.

Reason: The condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2024, in particular paragraphs 116 and 117.

- 18) The development hereby approved shall not be first occupied unless and until the internal site roads and footways have been provided and constructed in accordance with plans to be submitted to and approved in writing by the Local Planning Authority, to provide infrastructure compliant with the Healthy Streets for Surrey Guidance.

Reason: The condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2024, in particular paragraphs 116 and 117.

- 19) The development hereby approved shall not be first occupied unless and until an electric minibuss and minibus parking bay with fast-charge electric vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) has been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter this shall be retained and maintained for its designated purpose for the lifetime of the development.

Reason: The condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2024, in particular paragraphs 116 and 117.

- 20) No development shall commence until a revised Construction Transport Management Plan, including details of the following items, has been submitted to and approved in writing by the Local Planning Authority:

- a) Parking for vehicles of site personnel, operatives and visitors.
- b) Loading and unloading of plant and materials.
- c) Storage of plant and materials.
- d) Programme of works (including measures for traffic management).
- e) HGV deliveries and hours of operation.
- f) Vehicle routing, avoiding Jacks Bridge to the south of the site.
- g) Measures to prevent the deposit of materials on the highway.
- h) On-site turning for construction vehicles.

The development shall be carried out in accordance with the approved details.

Reason: The condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2024, in particular paragraphs 116 and 117.

- 21) The development hereby approved shall not be occupied unless and until at least 50% of the proposed medical centre parking spaces (totalling 19 spaces) are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230v AC 32 amp single phase dedicated supply) and the remaining parking spaces are provided with cable routes with a feeder pillar or equivalent permitting future connection of a 230 v A32 amp single phase dedicated supply, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: The condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2024, in particular paragraphs 116 and 117.

- 22) No development shall commence until a detailed Bat Mitigation, Compensation and Enhancement Strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the ecological interests of the site and any protected species are adequately safeguarded throughout the development, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

- 23) Prior to the commencement of development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP should be based on the proposed impact avoidance, mitigation and enhancement measures specified in the above report and should include, but not be limited to the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions, together with a plan of management compartments.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organisation responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.
 - i) Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.
 - j) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The development shall only be undertaken in accordance with the approved LEMP, all measures set out within the approved LEMP shall be implemented prior to the first occupation of any dwelling (unless a phased implementation timetable has been agreed as part of the LEMP in which case the LEMP shall be fully implemented in full accordance with that phased implementation timetable) and retained at all times thereafter.

Reason: To ensure that the ecological interests of the site and any protected species are adequately safeguarded throughout the development, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

- 24) The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out in the Ecological Assessment prepared by Green Space Ecological Solutions dated August 2024.

Reason: To ensure that the ecological interests of the site and any protected species are adequately safeguarded throughout the development, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

- 25) Prior to the occupation of the development, Biodiversity Net Gain in accordance with the Biodiversity Net Gain Report by Green Space Ecological Solutions dated January 2025 (Ref: J20449_P8_BNG_Rev C) shall be implemented.

Reason: To ensure that Biodiversity Net Gain is secured, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008, Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014 and the NPPF.

- 26) Prior to the commencement of development a Habitat Management and Monitoring Plan (HMMP) detailing how the land will be managed over at least 30 years, prepared in accordance with the approved Biodiversity Gain Report, shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the approved Habitat Management and Monitoring Plan. The HMMP shall include, but not be limited to:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 30-year period).
- f) Details of the body or organisation responsible for implementation of the plan.
- g) Ongoing monitoring and remedial measures.
- h) Mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.
- i) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The HMMP shall be adhered to throughout the period to which it applies.

Reason: In the interests of ecology and biodiversity and to secure significant on-site biodiversity net gain in accordance with Policy CSP17 of the Tandridge Core Strategy 2008 and Schedule 7A of the Town and Country Planning Act 1990.

27) Notice in writing shall be given to the Council when the:

- HMMP has been implemented in accordance that approved under condition 26; and
- habitat creation and enhancement works as set out in the HMMP have been completed.

Reason: To ensure that Biodiversity Net Gain is secured, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008, Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014 and the NPPF.

28) Prior to the commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP should include, but not be limited to:

- a) Map showing the location of all ecological features.
- b) Risk assessment of the potentially damaging construction activities.
- c) Practical measures to avoid and reduce impacts during construction.
- d) Location and timing of works to avoid harm to biodiversity features.
- e) Responsible persons and lines of communication.
- f) Use of protective fencing, exclusion barriers and warning signs.
- g) Hazel Dormouse Precautionary Method Statement.
- h) Amphibian and Reptile Precautionary Method Statement.
- i) Sensitive Lighting Management Plan.
- j) Update badger walkover and survey.

The development shall only be undertaken in accordance with the approved CEMP, all measures set out within the approved CEMP shall be implemented prior to the first occupation of the dwellings (unless a phased implementation timetable has been agreed as part of the CEMP in which case the CEMP shall be fully implemented in full accordance with that phased implementation timetable) and retained at all times thereafter.

Reason: To ensure that the ecological interests of the site and any protected species are adequately safeguarded throughout the development, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

29) No development shall commence until a Sensitive Lighting Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall be implemented in accordance with the approved details and maintained for the lifetime of the development.

Reason: To ensure that the ecological interests of the site and any protected species are adequately safeguarded throughout the development, in accordance with Policy CSP17 of the Tandridge District Core Strategy 2008 and Policy DP19 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014.

30) No development shall commence until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted

have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

Reason: To enable the Local Planning Authority to exercise control over the type and colour of materials, so as to enhance the development[and to ensure that the new works harmonise with the existing building in accordance with Policy CSP18 of the Tandridge District Core Strategy 2008 and Policy DP7, DP20 of the Tandridge Local Plan Part 2: Detailed Policies 2014.

- 31) No development shall start until details demonstrating how the development would satisfy the 20% reduction of carbon emissions through renewable resources have been submitted to and approved in writing by the Local Planning Authority. The renewable energy provision shall thereafter be implemented and retained in accordance with the approved details.

Reason: To ensure on-site renewable energy provision to enable the development to actively contribute to the reduction of carbon dioxide emissions in accordance with Policy CSP14 of the Tandridge District Core Strategy 2008.

- 32) The development hereby permitted shall not commence until details of the final design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The final solution should follow the principles set out in the approved drainage strategy. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Evidence that the receiving watercourse has onward connectivity and capacity to receive flows from the site.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) and 1 in 100 (+40% allowance for climate change) storm events. Associated discharge rates and storage volumes shall be provided using a maximum discharge of 1 in 1yr: 7.1 l/s, 1 in 30yr: 20 l/s and 1 in 100yr (+ 40% allowance for climate change): 26.6 l/s including multifunctional sustainable drainage systems.
- c) Construction drawings for all drainage elements including cross sections and detailed drainage layout plan.
- d) An exceedance flow routing plan demonstrating no increase in surface water flood risk on or off site. The plan must include proposed levels and flow directions.
- e) Details of drainage management responsibilities and maintenance regimes for all drainage elements.
- f) Details of how surface water will be managed during construction including measures to protect on site and downstream systems prior to the final drainage system being operational. Including details of how existing watercourse on and adjacent to the site will be protected.

The scheme shall be implemented in accordance with the approved details and maintained for the lifetime of the development.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site in accordance with Local Plan Detailed Policies DP21.

- 33) Prior to the first occupation of the development, a verification report must be submitted to and approved in writing by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), confirming any defects have been rectified. Provide the details of any management company. Provide an 'As-Built' drainage layout and state the national grid reference of key drainage elements.

Reason: To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS.

Richborough



Costs Decisions

Hearing Held on 31 March 2026

Site visit made on 31 March 2026

by R Catchpole BSc (hons) PhD CEcol MCIEEM IHBC

an Inspector appointed by the Secretary of State

Decision date: 17 April 2026

Application A: Costs Application in Relation to Appeal Ref: APP/M3645/W/25/3371917 at Lingfield House, East Grinstead Road, Lingfield, Surrey RH7 6ES

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by Mr Dan Webber (Marrow Wood (Lingfield) Limited) for a full or partial award of costs against Tandridge District Council.
- The Hearing was in connection with an appeal associated with the refusal of planning permission.

Application B: Costs Application in Relation to Appeal Ref: APP/M3645/W/25/3371917 at Lingfield House, East Grinstead Road, Lingfield, Surrey RH7 6ES

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by Tandridge District Council for a partial award of costs against Mr Dan Webber (Marrow Wood (Lingfield) Limited).
- The Hearing was in connection with an appeal associated with the refusal of planning permission.

Decisions

Application A

1. The application for a partial award of costs is allowed in the terms set out below.

Application B

2. The application for a partial award of costs is refused.

Reasons

Background

3. Parties in planning appeals are normally expected to pay their own costs. However, the Planning Practice Guidance (PPG) advises that, irrespective of the outcome of an appeal, costs may only be awarded against a party who has behaved unreasonably and thereby directly caused another party to incur unnecessary or wasted expense in the appeal process. Unreasonable behaviour can either be procedural, relating to the process of an appeal or substantive, relating to the merits of any issues arising from an appeal.

Application A

4. The applicant believes that the Council acted unreasonably because the balancing exercise, to determine whether very special circumstances existed, was not carried out in a careful, reasonable or professional manner. It asserts that the Council's Statement of Case (SoC) departs from what was agreed in the Statement of Common Ground (SoCG). In particular, the weight that was given to the benefits of

the scheme and matters relating to urban sprawl. In final remarks, it noted that the Council further adjusted its position in relation to the weight to be given to various benefits which it suggests should have negated the need for an appeal had this occurred at an earlier stage.

5. It also highlights inconsistencies in its SoC with the Officer Report (OR) and the Reasons for Refusal in relation to the Green Belt harm arising from the extension of the main building, effect on the natural beauty of the Countryside and the visual impact from specific viewpoints. It observes that the Council's assertion that it would not fit the extra care model, is also unfounded given the adoption of model wording for such facilities in the planning obligation, as set out in my decision. Furthermore, it notes that the characterisation of the proposal as "cynical" is both unprofessional and unwarranted. The applicant also highlights inconsistencies between an appeal policy statement¹, the Council's SoC and the agreed SoCG. In particular, conflict with policy CSP18, the introduction of additional harm to visual amenity and character and the weight to be given to the benefits of the scheme.
6. The applicant also applies for a partial award of costs due to the fact that a previous Hearing that was scheduled to open on the 11 December 2025 had to be postponed because the Council failed to notify the public of the event.
7. Taken together, these perceived failings risk an award of costs on substantive grounds because of the alleged failure of the Council to prevent development that should have clearly been permitted and on procedural grounds because of failing to notify the public of a hearing, where this leads to the need for an adjournment.
8. The Council believes that it provided an exhaustive OR that demonstrated the justification for the refusal of planning permission based on material planning considerations and a balanced assessment. It points out that despite written warnings of the refusal risks in 2022 and 2024, the appellant nevertheless proceeded with a formal application. The Council maintains that it was clear that the scheme would not be supported and that the appeal was the appellant's sole decision. The Council suggests that it was reasonable for it to elaborate its position at appeal and further elucidate issues that were "not previously caught" in the OR. In final remarks, the Council pointed out that it had been fair and reasonable during the Hearing and had not sought to "defend the indefensible".
9. Turning to the postponed Hearing, the Council highlights the fact that alternative dates were previously discussed and that attempts were made to rectify its failure to notify the public through the hand delivery of letters to interested parties. It also observes that the applicant was available on other dates and draws my attention to a series of emails immediately before the Hearing was due to open.
10. The final remarks of the Council clearly acknowledge that its position was not tenable and I found that there was little substance to the Council's case when tested and the balance reweighed. The Council resiled from the contention that 155(a) of the Framework applied and conceded a number of points. This led to increased weight to four different benefits, acceptance of a limited impact on GB purpose as well as acceptance that the visual impacts would be limited to just one receptor. Added to this is the fact that Hearing time was taken up with resolving the inconsistencies between the SoCG and the Council's SoC which was

¹ Lingfield House Appeal Policy Statement, November 2025

unacceptable. It is also clear that the Council introduced new issues that were not consistent with its original reasoning and conclusions of the OR.

11. Whilst the approach at the Hearing is to be commended, the Council nevertheless failed to produce consistent evidence, substantially altered the weight it gave to the benefits and also went against a previous conclusion it reached in relation to effects on visual amenity without the benefit of any technical evidence to support that departure. Furthermore, the need to postpone was based on legal advice that the applicant received relating to the potential prejudice that would have resulted had the Hearing gone ahead. Given the above, I find that the Council acted unreasonably in these respects.
12. The PPG advises that an application for costs will need to clearly demonstrate how any unreasonable behaviour has resulted in unnecessary or wasted expense. In other words, the existence of unreasonable behaviour is not sufficient to justify an award of costs in and of itself. The behaviour must also directly cause another party to incur unnecessary or wasted expense in the appeal process.
13. Whilst the Council's approach to the appeal process was less than satisfactory, the weight to be given to the harms and benefits of a scheme are a matter of professional judgement. Despite the fact that I reached a different conclusion, the Council was entitled to refuse the proposal on the basis of that judgement. The fact that its position changed when subject to scrutiny was the product of the appeal process which functioned as intended.
14. As such, it is clear that the appeal could not have been avoided and that no unnecessary or wasted expense was incurred in relation to these matters. However, this is not the case in relation to the postponed Hearing which was avoidable and unequivocally the responsibility of the Council given the risk of legal challenge had the Hearing gone ahead, despite efforts to the contrary. The applicant would have had the unnecessary and wasted expense of preparing for such an event given that it was postponed at the 11th hour and professional fees would have still been payable. Whilst I note that the Inspector was willing to open the Hearing, it is clear that there were significant risks given the Council failure to notify interested parties in accordance with the statutory deadline.

Conclusion

15. I conclude that whilst the Council acted unreasonably in relation to the matters set out above, this only led to unnecessary and wasted expense insofar as the late postponement is concerned. For this reason and having regard to all other matters raised, a partial award of costs is therefore justified.

Costs Order

16. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Tandridge District Council shall pay to Mr Dan Webber (Marrow Wood (Lingfield) Limited), the partial costs of the appeal proceedings described in the heading of this decision.
17. The applicant is now invited to submit to Tandridge District Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the

amount, a copy of the guidance note on how to apply for a detailed assessment by the Senior Courts Costs Office is enclosed.

Application B

18. In final remarks the applicant altered its position in relation to its costs application and made it clear that it only wanted to pursue a partial award of costs in relation to the delay caused to the Hearing. It believes that the appellant acted unreasonably because of the additional work the Council had to undertake to resolve matters and that a procedural award is justified.
19. The appellant believes that the Council has failed to explain how it has been unreasonable in pursuing its statutory right of appeal. It also believes that it has acted reasonably throughout the appeal process and that the application is retaliatory and should be rejected on that basis.
20. I find it hard to identify any substantive or procedural grounds for an award of costs against the appellant. Whilst the decision to postpone the Hearing was clearly the result of the appellant's unwillingness to proceed, this was prompted by an unequivocal procedural failure on the part of the Council. I find it entirely reasonable that the appellant chose not to proceed under the circumstances. The fact that the lack of notification was only discovered at a very late stage is the fault of the Council and any additional work relating to such matters was clearly necessary.

Conclusion

21. I conclude that the appellant acted reasonably on the matters set out above and that this did not lead to any unnecessary or wasted expense. For this reason and having regard to all other matters raised, a partial award of costs is therefore not justified.

R Catchpole

INSPECTOR