

Application: 2025/499
Location: Nyahlands Farm, Copthorne Bank, Copthorne, Crawley, Surrey, RH10 3JD
Proposal: Erection of 9 dwellings and widening of existing access following demolition of stables and removal of sand school. (Permission in Principle)
Ward: Burstow, Horne and Outwood

Decision Level: Delegated

Constraints –

*ANCIENT WOODLAND(S) within 500m,
GATWICK SAFEGUARDING 15m,
GREEN BELT,
ROAD_LOCAL c - copthorne bank,
WARDS burstow, horne and outwood,
ARTICLE 4 enf/71/4, unknown5,
NATS_GATWICK_RADAR 15m,
NATS 10m,
PARISHES burstow,
ASAC areas of special advertising consent,
GAT_BIRDSTRIKE gatwick bird strike zone,
EA_ROFSW_1_IN_1000 risk of flooding from surface water - 1000,*

RECOMMENDATION:

APPROVE

Summary

The application is for Permission in Principle for the construction of 9 new dwellings and widening of an existing vehicle access. The location, land use and amount of development proposed would be acceptable within the Green Belt. All other matters would be for consideration through any subsequent Technical Details Consent application. As such, the recommendation is for approval.

Site Description

The site is located east of Copthorne Bank within the Green Belt and is approximately 0.49ha in extent. Access to the site is gained by an existing access road with a timber gate which leads further east past the two-storey farm dwelling and several outbuildings such as stables adjacent to Copthorne Bank. Further down, the access road leads to a sand school which lies further to the east past the main dwelling which is the area included within the red line boundary of the application. This area comprises of a sand school, horse paddocks, a round riding pen, a timber shed and a shipping container which is surrounded by a large, grassed area. The site is bounded by mature trees on the north, east and south side.

Relevant History

2016/1931 - Erection of single storey detached outbuilding to east of existing dwelling. (Certificate of Lawfulness for a Proposed Use or Development) Certificate of Lawfulness (proposed use or development) granted 12/12/2016

2012/1380 - Formation of sand school. (retrospective) Approved (full) 21/01/2013

Key Issues

The PPG is clear – paragraph reference 58-012-20180615 – that the scope of an application for permission in principle “is limited to location, land use and amount of development.” The site is located in the Green Belt where the key issues are whether the proposal constitutes inappropriate development and, if so, whether very special circumstances are demonstrated that clearly outweigh the harm by definition and any other harm; and also impact on character and appearance and residential amenity.

Proposal

The application seeks permission in principle for the erection of 9x two-storey dwellings with associated parking and the widening of the existing access off Copthorne Bank. The housing mix would comprise of 2x 2-bedroom dwellings, 3x 3-bedroom dwellings, 3x 4-bedroom dwellings and 1x 5-bedroom dwelling with a detached garage. The proposal would include the demolition of the existing outbuildings at the entrance to the site adjacent to Copthorne Bank as well as the outbuildings further east which include the timber shed, paddocks and container. The sand school and riding pen will also be removed.

Development Plan Policy

Tandridge District Core Strategy 2008 – Policies CSP1, CSP17 and CSP18

Tandridge Local Plan Part 2 – Detailed Policies 2014 – Policies DP1, DP7, DP10, DP13 and DP19

Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs) and non-statutory guidance

Surrey Design Guide (2002)

Tandridge Parking Standards SPD (2012)

Tandridge Trees and Soft Landscaping SPD (2017)

National Advice

National Planning Policy Framework (NPPF) (December 2024)

Planning Practice Guidance (PPG)

National Design Guide (2019)

Consultation Responses

County Highway Authority – The site is located in an unsustainable location, without access to public transport services or local amenities, with limited active travel opportunities, and where the only realistic means of transport would be the private car. This is contrary to the aims of the NPPF (2024), the Surrey Local Transport Plan 4 (2022) and the Tandridge Local Plan Policy DP5.

Gatwick Airport – The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore have no objection to this proposal.

Surrey Wildlife Trust - Nature Space – No objection

Burstow Parish Council – No comments

Other Representations

Third Party Comments –

- Impact on character of the area
Impact on the character and look of the village,
Overdevelopment of the rural area and harm to the character of the village of Copthorne,
Not preserving the special character of Copthorne Village Annas Villa which dates back to 1850

Officer comment:

The impact on the character and appearance has been taken into account when conducting an assessment of the site and the proposed development. The proposal is in line with National Legislation and Local Policies. Further details with regards to design and materials will be assessed when the subsequent application for Technical Details Consent is considered.

- Impact on Environment

Impact on environment, green space, and destruction of natural habitat
Loss of habitat of wildlife by cutting down trees and removing hedgerows
Concern about Barn Swallows and House Martins nesting in outbuildings
Site is flood land

Officer comment:

Impact on the environment is not a consideration of an application for Permission in Principle. An ecological appraisal would be required with the submission of Technical Details Consent application. It should be noted that no trees are proposed to be cut down or damages as part of the development.

- Impact on neighbours
Impact on open views,
Concerns about property prices decreasing due to overcrowding,
Loss of light and outlook of rural surroundings,
Impact on privacy of neighbours due to current degree of high privacy
Rural lifestyle will be disturbed by urban noise and light pollution
Air and noise pollution

Officer comment:

The proposed development is not considered to result in harm to neighbouring amenities and impact on views are not a material planning consideration. Noise and light pollution is considered to be an expected disturbance for such a

development and is not a reason for refusal depending on the details of the ecological appraisal.

- Impact on traffic and road safety
Dangerous for pedestrians, cyclists and motorists
Public disregard speed limit
Cars speeding around the bendy and twisty road
Concern for serious accidents
Road unsuitable for heavy construction vehicles
Increase of traffic problems and heightened levels of danger to the public

Officer comment:

The access to the development would be widened and the outbuildings at the entrance will be demolished. Visibility splays would be a requirement to increase visibility. Speeding cars and accidents happening is not a material planning consideration but a matter for the police.

- Impact on infrastructure and services
Impact on infrastructure with continual increase of population,
Concern for GP surgeries and schools capacity
Strain on water and other services

Officer comment:

The addition of 9 new dwelling is not considered to put an unacceptable strain on public services or infrastructure

- Public consultation
No consultation or public notice erected
Consultation period of 1 week since the letter was delivered is too short notice

Officer comment:

The following neighbours were consulted
Anns Villa
Brookside
Dellside
Ellenbank
Woodside Cottage
Woodside House

A public site notice was erected on 20/05/2025 which stated that comments could be made within 14 days of the date of the notice.

- Impact on Green Belt
Land is Green Belt not Grey Belt
Development is not protecting this ancient piece of countryside and not preventing urban sprawl
Development far exceeds the footprint of the current stables and sand school

Officer comment:

The land has been assessed and is considered to be Grey Belt according to the NPPF and does not strongly contribute to the purposes of the Green Belt as set out in the body of the report.

- General

Barrister comments flawed

Officer comment:

Noted

Assessment

The PPG is clear – para ref 58-012-20180615 – that the scope of an application for permission in principle “is limited to location, land use and amount of development.”

Principle and location

The site is located outside any settlement boundary, in the Green Belt. Policy CSP1 of the Core Strategy directs the majority of new development to urban settlements, although settlements washed over by the Green Belt, but which have a defined boundary may be acceptable for infilling and small-scale development. The key issue for the purposes of this application is whether the location is suitable for residential development.

Green Belt

Policy Context

The NPPF 2024 supports the protection of Green Belts and the restriction of development within these designated areas. Paragraph 142 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, the essential characteristics of the Green Belt being its openness and permanence.

Paragraph 154 of the NPPF states that a local planning authority should regard development as inappropriate in the Green Belt and lists a number of exceptions.

Policy DP10 of the Local Plan reflects paragraph 153 of the NPPF in setting out that inappropriate development in the Green Belt is, by definition, harmful and that substantial weight must be attributed to this harm. Permission should only be granted where very special circumstances can be demonstrated to outweigh the harm by reason of inappropriateness and any other harm identified.

Policy DP13 states that unless very special circumstances can be clearly demonstrated, the Council will regard the construction of new buildings as inappropriate in the Green Belt. Policy DP13 sets out the exceptions to this.

The test would be to assess whether the site would be regarded as being Grey Belt and whether the scheme would meet the requirements as set out in Paragraph 155 of the NPPF.

The NPPF sets out the definition of Grey Belt as follows:

‘For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development’.

The proposed site has been assessed against these criteria and it has been established that the site could be considered to be Grey Belt. The land is not the subject of Footnote 7 designations.

Paragraph 155 of the NPPF sets out that:

‘The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

b. There is a demonstrable unmet need for the type of development proposed⁵⁶;

c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework⁵⁷; and

d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below’.

Paragraph 155(a) test: Purposes of the Green Belt

Paragraph 143 sets out the five purposes of the Green Belt, these are:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

The application site is located within the Green Belt, partly on a previously developed site – the sand school. The proposal would not undermine the purpose of the Green Belt and is not considered to result in the unrestricted sprawl of large built-up areas (large built up areas excludes villages), it would not result in neighbouring towns (excludes villages) merging into one another, it would not encroach into the countryside as most of the site is previously developed land, it would not impact any historic towns and does not prevent urban regeneration. As such the proposal meets the requirement of Paragraph 155(a) of the NPPF.

Paragraph 155(b) test: Demonstrable unmet need for housing

Housing Need, Housing Requirement and Housing Supply

For plan-making, paragraph 62 of the NPPF (December 2024) explains that strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance.

Interim calculations, based on the standard method as prescribed by DLUHC and an interim Housing Market Area comprising the whole of Tandridge District, show the minimum annual local housing need for the District to be 639 dwellings. The NPPF (December 2024) paragraph 62 explains that the outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area.

Tandridge District has major policy constraints, including Green Belt covering 94% of the District, two Areas of Outstanding Natural Beauty (National Landscapes), and extensive areas subject to flooding, as well as significant infrastructure capacity constraints within the District (for example around the M25 Junction 6 and other parts of the strategic road network), all of which can reasonably be expected to significantly reduce the housing requirement.

Such a reduction was accepted at the Examination for 'Our Local Plan 2033'. A final conclusion on Objectively Assessed Need (OAN) was not reached due to cessation of the Examination, however OAN was calculated as ranging between 266 and 470, depending on the choice of annual population projections, substantially less than the estimated Local Housing Need of 639 resulting from the standard method. The Inspector concluded that the housing requirement should be less than OAN, as defined in the 2012 NPPF, due to a number of factors, including the degree of major policy constraints within the District. It was stated that:

'It is clear to me that there are specific policies of the Framework which indicate that development should be restricted in Tandridge and that in principle, the Plan would be sound in not meeting the OAN in full.' (Inspectors Report, Annex 1 - ID16, paragraph 44)

Whilst subsequent revisions to the NPPF have introduced the concept of local housing need, the Council nevertheless fully anticipates that the likely future housing requirement will similarly be lower than the local housing need due to the presence of the constraints outlined above.

The NPPF (paragraph 62, December 2024) and the Planning Practice Guidance (paragraph 2, housing supply and delivery) set out how Councils should calculate its five- year housing land supply (5-YHLS). This requires that where strategic policies are more than five years old, as is the case for Tandridge District, that the 5-YHLS calculation uses the unconstrained local housing need figure calculated on the basis of the standard method.

When this unconstrained local housing need figure is used, the Council accepts that it does not currently have a 5-YHLS. However, for the reasons set out previously regarding the housing requirement, a 5-YHLS figure based on the unconstrained local housing need figure is not considered appropriate in the case of Tandridge District.

Whilst the Council seeks to prepare and adopt a new Local Plan to enable it to establish a robust basis for the planning of the District as quickly as possible including having an agreed 5-YHLS, it remains committed to bringing forward new housing sites. It is seeking to do this in line with the criteria set out in its Interim Policy Statement for Housing Delivery, which was adopted as part of the Housing Delivery Test Action Plan (2022).

As set out above, there is a demonstrable unmet need for housing within the district.

Paragraph 155(c) test: Sustainable location

When determining what is a sustainable location, a range of factors should be considered. This is consistent with the definition of sustainable development as set out in the NPPF, which confirms that three overarching objectives must be met to deliver sustainable development. These are an economic objective, a social objective and an environmental objective.

The site is within reasonable walking distance to public transport, with Cherry Tree Bus Stop just 190m to the south and Bonwicke Cottages Bus Stop 450m to the north. These routes provide access to Copthorne, Smallfield, Horley and Crawley where various community and shopping facilities are available such as schools and shops. Buses are available every 37 minutes from Church Bus Stop to East Grinstead Railway Station and from Cherry Tree Bus Stop to Gatwick Railway Station.

The site is accessible by foot and by bicycle to and from Copthorne with the Copthorne Village Hall being reachable in approximately 15 minutes by foot. It is noted that this road is not lit however, regard should also be had to Paragraph 110 of the NPPF that identifies that sustainable transport solutions will vary between urban and rural areas.

The addition of 9 new dwellings in conjunction with the widening of the existing access would not result in adverse impacts on the strategic road networks in terms of vehicular traffic and network capacity and the addition of 9 new dwellings is not considered to be of such a scale that local infrastructure could not accommodate the increase on the network.

The proposed development would not result in the loss of best and most versatile agricultural land (Grades 1 to 3a of the Agricultural Land Classification System) and would not result in the loss of any Areas of Great Landscape Value. The proposal would not result in the net loss of important landscape features such as trees, hedgerows or other fauna and flora.

As such it has been established that the site is within a sustainable rural location.

Paragraph 155(d) test: Golden Rules

Only applicable to Major applications

Conclusion on Green Belt

The site does not strongly contribute to purpose a, b, and d of the Green Belt as set out in Paragraph 143 of the NPPF and is not subject to any Footnote 7 designations (except Green Belt), therefore the site can be classified as Grey Belt Land. The proposal meets the requirements of Paragraph 155 and therefore should not be regarded as inappropriate development within the Green Belt.

Land use

Paragraph 131 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It goes on to state that planning decisions should ensure that developments will function well, add to the overall quality of the area, be sympathetic to local character and history (whilst not discouraging innovation) and

establish a strong sense of place. It also states that development that is not well designed should be refused.

Policy CSP18 of the Core Strategy requires that new development should be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.

CSP19 sets out that density of development should not exceed 30-40 dwellings per hectare, and less where this could impact on the character and distinctiveness of the locality.

Policy DP7 of the Local Plan Part 2: Detailed Policies requires development to, inter alia, respect and contribute to the distinctive character, appearance and amenity of the area in which it is located, have a complementary building design and not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design.

The proposal is for nine new dwellings with associated parking areas and outdoor amenity/garden areas and would be situated on reasonably sized plots. The proposed residential land use would be in keeping with the surrounding area which mainly comprise of rural dwellings and agricultural uses. The land use is considered appropriate for its location and would be in keeping with the rural character of the surrounding dwellings in terms of density and plot size.

Design details will be submitted as part of a Technical Details Consent application where the impact on the character of the area and neighbours would be further assessed. An ecological appraisal would also be submitted in a subsequent application to assess impact on biodiversity.

NPPF Paragraph 11d/Tilted Balance

The NPPF (December 2024, paragraph 11) states that a presumption in favour of sustainable development should be applied. Paragraph 11 of the NPPF (2024) further states that for decision making, this means that 'where there are no relevant development plan policies, or the policies which are the most important for determining the application are out-of-date, granting permission' (also known as the 'tilted balance') unless:

- the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

Footnote 7 elucidates that the policies referred to are those in the Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 187 of the Framework) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 72); and areas at risk of flooding or coastal change.

The Council is currently unable to demonstrate a 5-YHLS and the delivery of housing has been below 75% of the housing requirement for the past three years. Therefore, for residential applications the 'tilted balance' needs to be applied within the District.

Planning Balance and Conclusion

As set out above the specific policy in relation to Green Belt does not provide a clear reason for refusing the development and therefore it remains to be considered whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The location, land use and amount of development proposed would be acceptable within the Green Belt and the character and appearance of the area would not be adversely impacted, depending on the detailed design submitted for Technical Details Consent. As such the development proposal would be compliant with the provisions of policies CSP1, CSP18 and CSP19 of the Core Strategy and policies DP1, DP7, DP10 and DP13 of the Local Plan - Detailed Policies. It would also comply with the aims of Section 12 of the NPPF, where paragraph 135 states that planning decisions should, inter alia, ensure that developments:

- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Given the above, it is considered that, overall, the benefits of the proposed development would be significant. As such, it is recommended that the presumption in favour of sustainable development should be applied and the application approved accordingly in accordance with paragraph 11 of the NPPF 2024.

The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within Policies CSP1, CSP18 and CSP19 of the Council's Core Strategy 2008 and Policies DP1, DP7, DP10 and DP13 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with the NPPF 2024. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

The development is CIL liable, and the proposal will attract New Homes Bonus payments and as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) these are local financial considerations which must be taken into account, as far as they are material to the application, in reaching a decision. It has been concluded that the proposal accords with the Development Plan and whilst the implementation and completion of the development will result in a local financial benefit this is not a matter that needs to be given significant

weight in the determination of this application.

All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

RECOMMENDATION:

APPROVE

Informatives

1. The development has been assessed against Policies CSP1, CSP18 and CSP19 of the Council's Core Strategy 2008 and Policies DP1, DP7, DP10 and DP13 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014 and material considerations. It has been concluded that the development, subject to the conditions imposed, would accord with the Development Plan and there are no other material considerations to justify a refusal of permission.
2. The Local Planning Authority has acted in a positive and proactive way in determining this application, as required by the NPPF (2024), and has assessed the proposal against all material considerations including the presumption in favour of sustainable development and that which improves the economic, social and environmental conditions of the area, planning policies and guidance and representations received.
3. This decision relates to the following drawings and information:
 - Block Plan as Proposed
 - Location Plan
 - Planning Statement

	Signed	Date
Case Officer	JD	12/06/2025
Checked ENF		
Final Check	PL	13.06.2025