

**To:** Planning & Regulatory Committee

**Date:** 26 January 2022

**By:** Planning Development Manager

**District(s)** Mole Valley District Council

**Electoral Division(s):**  
Dorking Hills  
Mrs Watson

**Case Officer:**  
Chris Turner

**Purpose:** For Decision

**Grid Ref:** 519586 155693

---

**Title: Surrey County Council Proposal MO/2021/1912**

### **Summary Report**

**Land at Headley Court, Headley Road, Leatherhead, Surrey KT18 6JW**

**Erection of a modular building and retention of existing modular building, marquee, hoarding, infrastructure and plant for the temporary use of the site for a body storage facility.**

The application site is located on the eastern side of Headley Road and sits to the north of the former NHS Seacole Centre. The site is accessed from Headley Road. It sits within the wider curtilage of Headley Court. Headley Court is a former dwelling which has since been used as a war hospital and police training centre.

The site is currently occupied by a body storage facility which was constructed through Part 12A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended in The Town and Country Planning (General Permitted Development) (Coronavirus) (England) (Amendment) Order 2020) permitted development rights (Statutory Instrument 1243).

This legislation enabled Local Authorities and certain health service bodies to carry out emergency development for dealing with the COVID 19 pandemic.

Statutory Instrument 1243 allowed for these temporary permitted development rights until 31 December 2021. Once this date has passed, the permitted development (PD) rights expire and the storage facility would have to cease use.

Surrey County Council under its duties for the coroner is unable to rely on these PD rights beyond 31 December 2021 and as such this application seeks temporary planning permission for 6 months to extend the existing use. This will prevent a shortfall in body storage provision whilst the planning permission for a temporary mortuary is implemented at Bagshot Highways Depot.

The site is located within the Green Belt and sits adjacent to existing mature trees in the grounds of a listed building. It is to be sited on an existing area of hardstanding.

The proposal would not result in harm to the listed building or any other heritage asset on the site and would not have a harmful impact on the adjoining trees. The County Highway Authority have been consulted on the proposal and raise no objection. The site is well separated from any surrounding neighbours and therefore, Officers are satisfied it would not have a detrimental impact on the residential amenity of any surrounding neighbours.

However, in relation to the Green Belt the proposal would not fall under the exceptions of Green Belt development and would therefore be considered to be inappropriate Green Belt development in accordance with paragraph 147 of the NPPF. As such very special circumstances must be demonstrated which clearly outweigh any harm by reason of inappropriateness or any other considerations to the Green Belt.

The proposal provides a key service during a global pandemic and will provide contingency provision whilst Surrey County Council implements a longer term body storage facility elsewhere in the County. The proposal will result in temporary harm by way of the introduction of development into the Green Belt, however, the proposal is well contained by existing built form and therefore, the landscape impact of the proposal is limited. The temporary harm to the Green Belt and provision of key health services is considered to outweigh the harm to the Green Belt.

**The recommendation is PERMIT subject to conditions.**

---

## **Application details**

### **Applicant**

SCC Property

### **Date application valid**

8 October 2021

### **Period for Determination**

3 December 2021

### **Amending Documents**

Environmental Noise Survey and Plant Noise Assessment Report  
28384/PNA3/Rev2 – Received 01/12/2021

Statement of Qualifications and Professional Status – Hann Tucker Associates –  
Received 01/12/2021

Email Received dated 10/11/2021 – Lighting Details.

Email received dated 10/11/2021- Highways Visibility Splays drawing no. 208.0002.004

---

## **Summary of Planning Issues**

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting.

<b>Is this aspect of the proposal in accordance with the development plan?</b>	<b>Paragraphs in the report where this has been discussed</b>
--	---

Design and Visual Amenity	Yes	39-46
Impact on Residential Amenity	Yes	47-54
Impact on Trees	Yes	55-58
Impact on Ecology	Yes	59-62
Impact on Heritage Assets	Yes	63-80
Impact on Archaeology	Yes	81-82
Impact on Highways	Yes	83-90
Impact on Green Belt	Yes	91-103

---

## **Illustrative material**

### Site Plan

Proposed Plan Option A dated 27 August 2021 2101 PL(2-)410 P3

### Aerial Photographs

Aerial 1, Aerial Guide, Aerial 2.

### Site Photographs

Photo 1 – Looking towards entrance of the site

---

Photos 2 – Looking east – Main entrance to the facility

Photo 3 – Looking south east

Photo 4 – Looking north

Photo 5 – Looking at trees

Photo 6 – Existing Modular Unit

Photo 7 – Internal view of the entrance to the site.

## **Background**

### **Site Description**

1. Headley Court is located within the district of Mole Valley to the south of the M25 and to the north of the C55 Headley Road and the D315 Lee Green Lane. Headley Court is a Grade II listed building and there are several other listed buildings and assets around the parkland that surrounds the Headley Court building. Headley Court is located within the Green Belt and a groundwater source protection area.

2. The application site is located on the eastern side of Headley Road and sits to the north of the former NHS Seacole Centre (also formerly known as Defence Medical Rehabilitation centre), north of the mansion building, west of the formal gardens on an area of land which was used for car parking in connection with the medical centre. The nearest residential properties are some 200m to the east of the application site beyond the formal gardens on Dale View.
3. The area of hardstanding features trees on the south east side and to the north. The hardstanding area extends to the east and also to the north along the internal road serving the medical centre.
4. There is an area of high archaeological potential to the west and north of the site, however this does not cover the site itself.
5. The site is accessed from Headley Road. The site is currently occupied by a body storage facility which was constructed through Part 12A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended in The Town and Country Planning (General Permitted Development) (Coronavirus) (England) (Amendment) Order 2020) permitted development rights. This legislation enabled Local Authorities and certain health service bodies to carry out emergency development for dealing with the COVID 19 pandemic.

## Planning History

6. There are no planning permissions for this site granted by Surrey County Council. The most recent planning applications/ permissions listed below have been dealt with by Mole Valley District Council:

MO/2021/1847	Retention and continued use of the car park.	Pending
MO/2017/1827	Variation of condition No. 1 of planning permission MO/2014/0451 to allow temporary car park adjacent to temporary accommodation for a further 3 years.	Approved 13/12/2017
MO/2014/0451	Variation of condition 1 of planning permission MO/2012/0488 to allow temporary car park adjacent to temporary accommodation and therapy blocks for a further 3 years.	Approved 21/05/2014
MO/2012/0488	creation of a temporary car park adjacent to temporary accommodation and therapy blocks.	Approved 29/05/2012

7. The application site is located on an existing car park area which was granted temporary permission under permission MO/2012/0488. This temporary period was then extended under subsequent permissions 2014/0451 and 2017/1827. There is currently another planning application which is under consideration by Mole Valley District Council under reference 2021/1847.
8. The car park was granted temporary permission to serve the Defence Medical Rehabilitation centre which was used as a rehab centre for injured members of the

British Armed Forces between 1985 and 2018. Specifically it was to serve the Jubilee Complex, two linear buildings which were designed to provide rehabilitation wards.

9. Under emergency Permitted Development Rights as part of the Government's strategy to handle the Corona Virus pandemic, the Jubilee Complex was made available to the NHS to provide care and support for Covid-19 patients and was renamed the Seacole Centre.
10. The Body Storage Facility proposed as part of this application was constructed on the "car park" area above under Part 12A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended in The Town and Country Planning (General Permitted Development) (Coronavirus) (England) (Amendment) Order 2020) permitted development rights, which enabled Local Authorities and certain health service bodies to carry out development for dealing with emergencies.
11. Whilst the permission for the parking area, has expired, this planning application is only for the body storage facility and does not include the retention of the parking area. As the proposal only requires above ground works with no foundation works on the buildings on site and will be removed after the temporary period has expired, the lawfulness of the car parking area is not relevant to this application and is a matter for the district council to consider.

## The proposal

12. Surrey County Council established a temporary mortuary at Headley Court at the beginning of the Coronavirus pandemic under Part 12A "Development by Local Authorities and Health Service Bodies" Class A of the Town and Country Planning (General Permitted Development) (Coronavirus)(England)(Amendment) Order 2020<sup>1</sup> which came into force in April 2020 and was then subsequently amended in November 2020<sup>2</sup>. Part 12A allows for certain types of work carried out by a Local Authority to take place without needing to apply for planning permission this being development for the purposes of:
  - A) Preventing an emergency
  - B) Reducing, controlling or mitigating the effects of an emergency; or
  - C) Taking other action in connection with an emergency.
13. The establishment of a temporary mortuary at Headley Court is considered necessary to reduce, control and mitigate the effects of the current Coronavirus pandemic. SI1243 allowed for these temporary permitted development rights until 31 December 2021.
14. There are currently three modular buildings and one marquee type structure with hoarding around these buildings, at the application site. This planning application seeks temporary planning permission for the retention of one modular building which measures 12.2metre (m) in length by 13.5m in depth and has a height of 5m; a marquee which measures 33m in length, by 7.8m in width with a height of 4m; the erection of a modular building measuring 18m x 4m with a height of 4.5m. The modular buildings and marquee are off-white in colour. It also proposes to retain the existing pale grey hoarding around the site which measures 2m in height. The proposal seeks to retain all of these elements for a period of six months to provide a temporary body storage facility. The previous facility operating under PD rights had

---

<sup>1</sup> SI 412

<sup>2</sup> SI 1243

capacity to store up to 825 bodies. This proposal is to accommodate a capacity of 365 bodies with a maximum capacity of 377.

15. The proposal would operate Monday to Friday 0800-1600 hours with times of collection by funeral directors limited to 0900-1500 hours under normal business operation. Ambulances would bring bodies to the facility and funeral directors would collect. Other vehicle movements involve staff. The modular units that exist on site, and the proposed new unit, would be brought to the site on a heavy goods vehicle (HGV) and craned into place. The applicant recognises this will require a Traffic Regulation Order which is a separate process to the planning process. This would take one day.
16. SCC recently obtained permission for a new temporary mortuary (BSF) at Bagshot Highways Depot (REF:SU/21/0415/PCM) for a period of up to 5-years. This is currently in the process of being implemented, with conditions being discharged and a contractor being commissioned. This is a better suited facility and will be the Council's preferred facility once it has been implemented. As the facility is yet to be completed, the applicant is seeking to retain this facility at Headley Court to ensure continued body storage provision for the county during the pandemic.

---

## **Consultations and publicity**

### ***District Council***

17. Mole Valley District Council – No comment received

### Consultees (Statutory and Non-Statutory)

18. County Arboriculturist – No objection
19. County Ecologist – No objection
20. County Historic/Listed Buildings Officer – No objection
21. County Landscape Officer – No objection
22. County Noise Consultant – No objection subject to conditions
23. Lead Local Flood Authority – The proposal site does not meet site thresholds.
24. Transport Development Planning – No objection
25. County Lighting Consultant - *No objection subject to conditions*

### Parish/Town Council and Amenity Groups

26. Headley Parish Council – Objection  
Concerned the proposal may be a precedent for further development as a 'trojan horse' and will affect the medium to long term status of the site.

### Summary of publicity undertaken and key issues raised by public

27. The application was publicised by the posting of two site notices *and an advert was placed in the local newspaper*. A total of 3 occupiers of neighbouring properties were directly notified by letter.
28. There have been three letters of objection to the proposal on the following grounds:

- Planning permission is not required for the current facility.
- There has been no consideration of other sites.
- The 'Very special circumstances' are not independent as they have been submitted from Surrey County Council to Surrey County Council.
- The site is an unsustainable location for transport with no alternative methods of getting to the site other than the car.
- The proposal could be harmful to ecology on the site.

#### *RESPONSE FROM THIRD PARTY COMMENTS*

29. In response to concerns raised by the neighbour representations, Officers have the following comments to make:
30. The application doesn't require a planning application – The proposal would be operating without any lawful permission and therefore could be subject to enforcement action.
31. The site is in an unsustainable location – The proposal is a temporary permission which would be unlikely to have visitors to the site, only a small number of employees.

### **Planning considerations**

#### **Introduction**

32. The guidance on the determination of planning applications, found at the end of this report, expressly incorporated into this report and must be read in conjunction with the following paragraphs.
33. In this case the statutory development plan for consideration of the application consists of the Mole Valley Core Strategy 2009 and the Mole Valley Local Plan 2000.
34. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.
35. In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are: Impact on the Green Belt, heritage assets, trees and ecology; and highways considerations.

#### **DRAFT MOLE VALLEY LOCAL PLAN 2020-2037**

36. Mole Valley District Council is in the process of updating its Local Plan. At this current stage the Plan is in draft format and consultation has been completed as part of Regulation 19 of the Town and Country Planning Act (Local Planning) Regulations 2012. The next stage of the plan will be submission to the Secretary of State.
37. In accordance with Paragraph 48 of the NPPF (2021), weight can be given to relevant policies in emerging plans according to the stage of preparation (the more advanced its



preparation, the greater the weight that can be given), the extent to which there are unresolved objections to relevant policies and the degree of consistency to the relevant policies in the emerging plan to the NPPF.

38. As the plan is at an advanced stage some limited weight can be given to the policies within this plan in the determination of this planning application.

## DESIGN AND VISUAL AMENITY

Mole Valley Core Strategy 2009 (MVCS)  
 Policy CS13 – Landscape  
 Policy CS14 – Design  
 Mole Valley Local Plan 2000  
 ENV22 – General Development Control Criteria  
 ENV25 – Landscape Design of New Developments  
 DRAFT Mole Valley Local Plan 2020-2037  
 Draft Policy EN4 – Character and Design

39. Policy CS13 of the (MVCS) states that all new development must respect and, where appropriate, enhance the character and distinctiveness of the landscape character area in which it is proposed.
40. Policy CS14 of the (MVCS) states that All new development must respect and enhance the character of the area in which it is proposed whilst making the best possible use of the land available.
41. ENV22 of the Mole Valley Local Plan states proposed development will be required to have a layout which is appropriate to the site in terms of its scale, form and appearance and external building materials; respects the character and appearance of the locality; has regard to attractive features of the site such as trees, hedges, walls or buildings that contribute to the character of the locality and provides any necessary screening and landscaping suitable to the character of the locality.
42. Draft Policy EN4 of the Draft Mole Valley Local Plan 2020-2037 states that all new development must be of high-quality design that makes a positive contribution to its local character. All development proposals must demonstrate a thorough understanding of the site and how they relate to the existing area - including features of local distinctiveness - and take opportunities to improve the quality of the landscape and townscape.
43. The proposed development comprises two modular buildings, a marquee and hoarding. The proposal is considered to be of an appropriate scale and mass that is necessary to provide the body storage provision. The marquee is required to ensure that vehicles arriving at the site can unload/ load with adequate screening. Sufficient space is required within the modular buildings and marquee to ensure social distancing and for the appropriate and considerate handling of the bodies. The hoarding also provides screening of the proposed facility. The proposal would be well contained by existing built form and therefore views of the proposal would be limited from the wider area.
44. The proposed development is of a character which does not demonstrate permanence and therefore, whilst the materials proposed are not high quality or in keeping with the existing built form surrounding the site, the temporary nature of the



buildings is not considered to have significant harm to the character of the existing area and would not result in significant landscape harm.

45. The County Council's Landscape Officer has been consulted on the proposals and raises no objection.
46. The proposal would therefore be considered to accord with Policies CS13 and CS14 of the Core Strategy, ENV22 and ENV25 of the Mole Valley Local Plan and EN4 of the Draft Mole Valley Local Plan

## **IMPACT ON RESIDENTIAL AMENITY**

Mole Valley Local Plan 2000  
ENV22 – General Development Control Criteria  
ENV57 – Lighting Proposals

47. Policy ENV22 of the Mole Valley Local Plan 2000 advises that new development that accords with other policies a design and layout will be required which does not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking or its overshadowing or overpowering effect, noise, traffic or other adverse environmental impact.
48. Policy ENV57 of the MLP advises that illumination of buildings will not be permitted where the proposal would significantly and adversely affect the amenities of residential properties.
49. The closest residential building is located approximately 200m to the east of the site beyond the walled garden and another existing building that forms part of the wider Headley Court complex. Owing to this separation distance Officers would be satisfied the proposal would not have a harmful impact on this neighbour by way of a harmful loss of light, overbearing impact, overpowering effect, or loss of privacy. Equally due to the separation distance and intervening vegetation, Officers are satisfied that any views of the body storage facility would be glimpsed and distant not to cause harm to residential amenity.
50. As the proposal is for a body storage facility and will be operating during the winter months there is a requirement for some plant on the site and some lighting. The Council has consulted its external consultees on these matters.
51. In relation to light, the applicant has confirmed that it is proposed that the only lighting proposed/currently operational on site is low lux, solar powered LED units on the perimeter hoarding for security. The Council's lighting consultee has confirmed that this would be acceptable. The County Council has also added a condition to the proposals to ensure there would be an element of control on any lighting used on the site.
52. In terms of plant noise, the Council has consulted its noise consultants and the applicant submitted a noise assessment. They have raised no objection to the principle of the proposal and note that the proposal has been in operation under the permitted development regulations and has not generated a significant amount of noise disturbance. As the storage facility has previously been operating on the site, it would not be introducing a new noise disturbance into the area. The noise consultant has considered this and the separation distance to the surrounding neighbours. They have recommended conditions to ensure that the County Council is able ensure an

element of control over plant on the site.

53. It is proposed that the site operates between the hours of 08:00-18:00 Monday to Friday, with all activities taking place within the marquee, including collection and delivery and funeral collections to be made between 09:00 and 15:00 on weekdays. In extreme circumstances it is anticipated that the proposal may have occasional weekend use, but during the above prescribed hours. In light of this it is not anticipated that the proposal would result in significant disruption to the local area by way of traffic, with no residential properties located immediately adjacent to the entrance and exit to the site.
54. Subject to the compliance with recommended conditions, Officers are satisfied that the proposal would not have a detrimental impact on the residential amenities of the surrounding neighbours and would accord with Policies ENV22 and ENV57 of the Mole Valley Local Plan 2000.

## **IMPACT ON TREES**

Mole Valley Core Strategy  
CS15 - Biodiversity and Geological conservation  
DRAFT Mole Valley Local Plan 2020-2037  
Draft Policy EN9 – Natural Assets

55. Policy CS15 of the Mole Valley Core Strategy States that all mature hedges and trees within development sites should be as far as practicable, retained.
56. Draft Policy EN9 of the draft Mole Valley Local Plan 2020-2037 states that new developments should maximise opportunities to protect existing tree cover and allow sufficient space for existing trees to grow.
57. The proposed development is sited adjacent to large mature trees on an existing area of hardstanding. The proposal is for temporary buildings which would not require any foundations or excavations below the hardstanding. The lightest of the 3 structures would be the marquee which sits closest to the trees therefore there would be no significant weight on the root structure adjacent to the trunks.
58. The County Council's Tree Officer has been consulted on the proposals and raises no objection owing to siting of the units on existing hardstanding and the absence of any ground excavations. Officers are satisfied that whilst the modular units and marquee are adjacent to mature trees, given the way they are positioned on existing hardstanding, that they would not impact upon tree roots during the site's operational period and when they are removed. The proposal is therefore considered to accord with Policy CS15 of the Mole Valley Core Strategy and Policy

## **IMPACT ON ECOLOGY**

Mole Valley Core Strategy  
CS15 – Biodiversity and Geological conservation  
Mole Valley Local Plan  
ENV15 – Species protection  
Draft Mole Valley Local Plan 2020-2037  
EN9 – Natural Assets

59. Policy CS15 of the Mole Valley Local Plan states that biodiversity will be protected and enhanced.
60. ENV15 of the Mole Valley Local Plan states that where a proposed development would be likely to result in harm to the protected species a site investigation will be required and the relevant nature bodies will be consulted.
61. EN9 of the Draft Mole Valley Local Plan 2020-2037 advises that proposals should include an assessment of the impact on native biodiversity.
62. In support of the application, the applicant has submitted a preliminary ecological appraisal (PEA) to assess the site's ability to support protected species and habitats. The PEA concluded that due to the spatial separation, lack of connectivity and/ or small, localised nature of the proposals, that the development is considered unlikely to affect designated sites of conservation importance or habitats of importance. The PEA also concluded that the proposal has negligible suitability to support bats or other protected or notable species and no further surveys were recommended. The County Ecologist has been consulted on the proposal and raises no objection to the scheme and therefore the proposal would be considered to accord with Policies CS15 of the Mole Valley Core Strategy, Policy ENV53 of the Local Plan and Policy EN9 of the Draft Mole Valley Local Plan 2020-2037.

## IMPACT ON THE HERITAGE ASSETS

Draft Mole Valley Local Plan 2020-2037  
Draft Policy EN6 – Heritage assets

63. Draft Policy EN6 of the Draft Mole Valley Local Plan 2020-2037 states that when conserving and enhancing designated and non-designated heritage assets, the Council will have regard to the impact of new development on their fabric, integrity and significance, and their settings. It lists a range of criteria for assessing heritage assets which include the significance and importance of the asset.
64. Paragraphs 195- 197 of the NPPF 2021 states: Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
65. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:  
*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*
66. There are several heritage assets which could be impacted by the proposal which are within proximity of the proposal site. The submitted Heritage Statement identifies these heritage assets and their significance:
  - Headley Court and attached former stables (Grade II Listed)

67. The significance of Headley Court and the former stables is the varied history of ownership and long term association with medical institutional usage. The house and its attached stables can be considered of historic evidential value, being indicative of late Victorian architectural styles associated with a time when Jacobethan and Queen Anne revival architecture was an important element of late nineteenth century social culture reflected through the built environment. Although numerous extensions, the principal facades of the building remain well preserved, contributing to the overall evidential value. The setting of Headley Court makes an important contribution to the significance of the buildings, although this is principally limited to the immediate setting.
- Retaining walls to north terraced garden at Headley Court (Grade II Listed)
68. The retaining walls were constructed at a similar time to Headley Court and their significance lies in their historic evidential value indicative of the original layout of the gardens.
- Former swimming pool and fountain in the north garden at Headley Court (Grade II Listed)
69. The significance of the former swimming pool and fountain is its association with the inhabitants of Headley Court throughout the twentieth century, indicative of the historic development of the house and grounds at this time. In addition the pool can be considered of evidential value, both for the well preserved original features and for indicating the layout of the ornamental garden.
- Pillar Sundial in the north garden at Headley Court (Grade II Listed)
70. The significance of the sundial is its historic evidential value in relation to the original plan of the garden and the well preserved nature of its features.
- South garden retaining walls, steps and columns at Headley Court (Grade II Listed)
71. The significance of the south garden retaining walls lies in their evidential value when experienced within the late nineteenth century garden, and are indicative of its layout.
- Sundial Gnomon on the south-western lawn at Headley Court (Grade II Listed)
72. The significance of the Sundial Gnomon can be attributed to its historic evidential value, indicative of the design of the original late nineteenth-early twentieth century garden as well as its general historic association with the development of the house and grounds.
- Garden walls, bothy and bridge at Headley Court (Grade II Listed)
73. The significance of these walls, bothy and bridge relates to their evidential value. All three structures play a role in illustrating the layout of the original formal garden. They are furthermore relatively intact and survive well. They additionally share historic associations with the architect Edward Warren, who designed Headley Court and garden.
- Tyrrells Wood (Grade II Listed)

74. The significance of Tyrrells Wood is that it is a Grade II listed house situated north west of Headley Court. The house was constructed by Roger Cunliffe ten years prior to the construction of Headley Court in the Queen Anne style, evidenced principally through the gables, chimney stacks and façade details.
- Stane Street Roman Road (Scheduled Monument)
75. Stane Street Roman Road is located north west of the application site. It was assigned status as a Scheduled Monument in 1956. This section of Stane Street is therefore of historic evidential value owing to its local and national importance illustrative of the land use during the Roman period.
76. The proposal would not have a direct impact on the above heritage assets as there is no alteration to any heritage assets. However paragraph 200 of the NPPF requires that Local Planning Authorities also have regard to development within the setting of any designated heritage asset.
77. In relation to Tyrrells Wood, Stane Street Roman Road, sundial gnomon on the south western lawn, south garden retaining walls and the pillar sundial in the north garden of Headley Court the submitted heritage statement identifies that there is little in the way of inter-visibility to these heritage assets and the site and therefore, the proposal would not result to harm to the setting of these heritage assets. In relation to Headley Court, retaining walls of the north terraced garden, and former swimming pool and fountain in the terraced garden, there is extensive green coverage and there is little interrelation with these assets such that the proposals would not have a significant impact on the way that the heritage asset is experienced within its setting.
78. The County Council's Heritage Officer has been consulted on the proposals and consider that the proposals, owing to low intervisibility of the heritage assets to the proposal site, the proposal will not result in any detrimental long term effect of the heritage assets.
79. As the proposal would result in no long term harm to the heritage assets, it is considered to result in less than substantial harm and therefore in accordance with the NPPF it is necessary to consider the public benefits of the scheme against the less than substantial harm. The County Council has a responsibility to the coroner to provide adequate and sufficient body storage capacity. The proposal will provide a required facility to manage an on going national emergency where there is currently a storage of body storage facilities within the County. The benefits of this are considered to outweigh the less than substantial harm identified.
80. The proposal is therefore considered to accord with the NPPF and draft Policy EN6 of the Emerging Local Plan.

## **IMPACT ON ARCHEOLOGY**

Mole Valley Local Plan 2000  
ENV49 – Area of High Archaeological Potential

81. Policy ENV49 of the Local Plan states that where significant development proposals fall within an Area of High Archaeological Potential the developer will be required to provide an initial assessment of the archaeological value of the site preferably before, or otherwise as part of, any planning application.

82. As part of the submitted heritage statement, the applicant has considered the archaeological significance of the heritage assets. The site is adjacent to an area of high archaeological potential. No excavations are proposed as part of the development, with the temporary units being placed on an existing area of hardstanding. The proposal would not therefore result in ground disturbance and the proposal would accord with Policy ENV49 of the Local Plan.

## IMPACT ON HIGHWAYS

Mole Valley Local Plan 2000  
 MOV2 – Movement Implications of Development  
 MOV5 – Parking Standards

Draft Mole Valley Local Plan 2020-2037  
 Draft Policy INF1 - Transport

83. Policy MOV 2 of the Local Plan states that development will normally only be permitted where it can be demonstrated that it is or can be made compatible with the transport infrastructure and the environmental character in the area, having regard to all forms of traffic generated by that development.
84. Policy MOV5 seeks to ensure that proposals are served by adequate parking.
85. Draft Policy INF1 of the Draft Mole Valley Local Plan 2020-2037 states that development proposals will be assessed for their impact on the highway and public transport network as well as the local environment.
86. Access into the application site is taken via a bellmouth junction on Headley Road and then through some existing gates. The bellmount provides access to an internal road which leads to the temporary body storage facility for approximately 70m. This means that vehicles associated with the temporary body storage facility would access directly from Headley Road and not travel past any of the surrounding buildings within Headley Court itself.
87. Vehicles that would be associated with the development proposal are light goods vehicles such as funeral director cars and ambulances; and cars associated with staff. There are no lorries associated with the operational phase of the proposal. the applicant has provided trip generation information for the both the Covid-19 wave 1 and wave 2. During wave 1 this generated approximately 27 trips (54 movements) per day for ambulances, funeral directors and staff. During wave 2 this number was much higher at 64 trips (128 movements) for all three types of vehicle. The applicants transport statement states that should the facility continue to generate the same number of trips as it did in wave 2, that the highway network is able to accommodate this level of trip generation without having a significant adverse impact on highway safety or the operation of the local highway network. The applicant does not anticipate the same level of use as wave 2 for the next six months. Should the facility operate just to accommodate winter month pressures (without Covid-19) the transport assessment predicts the facility would generate some 12 trips (24 movements) per day.
88. The County Highway Authority has been consulted on the proposed development. The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and



operation of the adjoining public highway.

89. The proposal would be on an existing car park, as such it would displace some parking for the adjoining Jubilee Complex. However, it is noted that the site is served by parking elsewhere on the site and therefore would be unlikely to result in displacement of parking onto the public highway. Furthermore it is noted that the County Council Highways team raise no objection to the proposal.
90. The proposal is therefore considered to accord with Policies MOV2 and MOV5 of the Local Plan 2000 and draft policy INF1 of the Draft Mole Valley Local Plan 2020-2037.

### **IMPACT ON THE GREEN BELT**

Mole Valley Draft Local Plan 2020-2037

Draft Policy EN1 – Green Belt

91. The site is located within the Green Belt whereby there is a presumption against inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
92. Draft Policy EN1 of the Mole Valley Draft Local Plan 2020-2037 states that land which is designated as Metropolitan Green Belt will be protected against inappropriate development, as defined by national policy. It goes on to state that inappropriate development will not be permitted in the Green Belt, unless very special circumstances are demonstrated which are concluded to outweigh the potential harm, including harm to the openness of the Green Belt and the purposes of including land within it.
93. Paragraph 148 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
94. Paragraph 149 of the NPPF goes to state that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. It goes on to list exceptions to this. Paragraph 150. Lists other forms of development which are considered not inappropriate in the Green Belt.
95. The proposal for a body storage facility, associated plant and hoarding would not fall under the exceptions of Green Belt development and would therefore be considered to be inappropriate Green Belt development in accordance with paragraph 147 of the NPPF.

### **HARM**

96. The proposal introduces new buildings within the Green Belt which would be considered inappropriate development. The proposal would harm the Green Belt by introducing new built form which would negatively impact on the openness of the Green Belt, contrary to the purposes of Green Belt which seek to prevent encroachment into the Countryside.

### **VERY SPECIAL CIRCUMSTANCES**



97. As the proposal is considered to be inappropriate development in the Green Belt. In order for the proposal to be acceptable, 'Very Special Circumstances' must exist which clearly outweigh any harm by reason of inappropriateness or any other considerations to the Green Belt.
98. In support of the application, the applicant has submitted a Green Belt analysis and has set out what they consider to be the very special circumstances of the proposal. They consider the very special circumstances to be:
- Avoiding a gap in the provision of a keystone service in the County, during a time of a global pandemic.
  - Urgent need for the facility to continue as a contingency provision.
  - Temporary nature of the proposal means keeping the necessary contingency provision in-situ, rather than moving elsewhere for a short period, would be better utilising public funds and resources.

#### OFFICER ASSESSMENT

99. Surrey County Council has the statutory responsibility for providing services for the Surrey Coroner. This includes responsibility for the storage of the deceased that come within the Coroner's jurisdiction. Once the Coroner has concluded enquiries the deceased are released to the family who commission funeral directors to collect. Part of this role includes ensuring there is sufficient and appropriate storage and mortuary space provision for the deceased who come under the Coroner's jurisdiction.
100. The recent COVID19 pandemic has highlighted the continuing need for a facility for the storage of the deceased in Surrey as there was insufficient capacity during that time. Whilst planning permission has been granted for a facility at Bagshot Highway depot this has yet to be implemented and there remains a demand for this type of facility within the county.
101. The proposal provides a key service during a global pandemic and will provide contingency provision whilst the SCC implements a longer term morgue elsewhere in the County. The proposal will result in temporary harm by way of the introduction of development into the Green Belt, however, the proposal is well contained by existing built form and therefore, the landscape impact of the proposal is limited. The proposal would cause harm to the openness by reason of its built form, however, the proposal is temporary and wholly removable therefore it would not create a long term impact on the Green Belt or its openness.
102. Officers consider that this temporary development will cause harm by way of inappropriate development, cause harm to the openness and cause other harm to the Green Belt, however Officers are satisfied that there are factors when taken together amount to very special circumstance that an exception to policy can be made. On the basis of the responses received from technical consultees and in assessing national policy and development plan policy, Officers consider that with the imposition of appropriate conditions where necessary, the temporary body storage facility would not give rise to significant or unacceptable environmental or amenity impacts and can be permitted subject to conditions. The temporary harm to the Green Belt and provision of key health services is considered to outweigh the harm to the Green Belt.

103. As such, in accordance with paragraph 148 of the NPPF 'very special circumstances' are considered to exist and the temporary harm to the green belt is outweighed by the benefits of the proposal.

---

### **Human Rights Implications**

104. The Human Rights Act Guidance for Interpretation, found at the end of this report, is expressly incorporated into this report and must be read in conjunction with the following paragraph.

105. Officer's view is that the proposal will have no adverse impact on public amenity and has no human rights implications.

---

### **Conclusion**

106. The proposed application would constitute inappropriate development within the Green Belt. The NPPF advises that inappropriate development should be refused unless there are 'very special circumstances' which clearly outweigh inappropriateness or any other harm to the Green Belt.

107. The proposal provides a key service during a global pandemic and will provide contingency provision whilst the SCC implements a longer term morgue elsewhere in the County. The proposal will result in temporary harm by way of the introduction of development into the Green Belt and less than substantial harm to the heritage assets. However, the proposal is well contained by existing built form and therefore, the landscape impact of the proposal is limited. The temporary harm to the Green Belt and its openness and provision of key health services is considered to outweigh the harm to the Green Belt. No objections are raised by statutory consultees to the temporary retention of this facility.

### **Recommendation**

108. That Pursuant to Regulation 3 of the Town and Country General Regulations 1992, application number ref: MO/2021/1912 be PERMITTED subject to the following conditions:

### **Conditions:**

1. The development hereby approved shall be carried out in all respects in accordance with the following plans/drawings:

Proposed Elevation A & B (A) dated 27 August 2021, 2101 PL(2-)412 Rev P2

Proposed Plan Option A dated 27 August 2021, 2101 PL(2-)410 Rev P3

(Proposed A) Existing Elevation C & D dated 27 August 2021, 2101 PL(2-)403 Rev P2

Existing Plan dated 19 August 2021, 2101 PL(2-)401 Rev P2

Site Plan dated 19 August 2021, 2101 PL(2-)400, Rev P2

Existing Elevation A & B dated 20 August 2021, 2101 PL(2-)402, Rev P1

Existing Elevation C & D dated 20 August 2021, 2101 PL(2-)403, Rev P1

2. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
3. The development hereby permitted shall only be used as a temporary mortuary and office use, as described in Section 3 of the Planning Statement dated September 2021 submitted as part of this application, and shall be used for no other purpose or use.
4. No external lights shall be illuminated nor shall any deliveries or office use authorised or required by this permission be carried out except between the following times:

08:00 – 18:00 Mondays to Fridays

There shall be no working on Saturdays, Sundays, Bank Holidays or National Holidays. Neither shall any servicing, maintenance or testing of plant be carried out between:

18:00 – 08:00 Monday to Fridays, 18:00 Fridays – 08:00 Mondays.

This condition shall not prevent the following activities:

- a) emergency repairs to plant and
  - b) lighting for security purposes
  - c) use of the facility at the weekend 08:00 – 18:00 hours in extreme circumstances or in the event of a surge in deaths when the capacity of hospitals is reached.
5. The Rating Level, L<sub>A</sub>r,Tr, of the noise emitted from all plant and vehicle movements on the application site shall not exceed the existing representative LA90 background sound level at any time by more than +5 dB(A) at the nearest noise sensitive receptor. The assessment shall be carried out in accordance with British Standard (BS) 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'. The existing representative LA90 background sound level shall be determined by measurement that shall be sufficient to characterise the environment.  
  
The representative level should be justified following guidance contained within BS 4142:2014+A1:2019 and agreed with the County Planning Authority.
  6. Noise monitoring shall be carried out at the request of the County Planning Authority and/or in response to a noise complaint to demonstrate compliance with the noise limits set in Condition 1. The results of the monitoring shall be reported to the County Planning Authority within 14 days of the monitoring. Measurements should only be undertaken by those competent to do so (i.e. Member or Associate grade of the Institute of Acoustics).
  7. Should the site fail to comply with the noise limits set in Condition 1, a scheme to attenuate noise levels to the required level and a timescale for implementation shall be submitted within four (4) weeks of a request from the County Planning Authority, for approval in writing by the County Planning Authority or the activities creating the source of noise shall cease until the scheme is in place.
  8. All plant on the application site associated with this planning application shall be maintained in accordance with the manufacturer's recommendations at all times in accordance with Policy ENV22 of the Mole Valley Local Plan 2000.

9. The body storage facility hereby approved shall be used for a temporary period expiring 6 months from the date of this permission. Within one month of this date expiring, the temporary facility and all associated plant and fencing shall be removed from the site and the land restored to its original condition.
10. No additional lighting shall be installed other than low lux solar powered LED units on the perimeter hoarding for security purposes, facing into the site. These shall be daylight sensing and installed to be downward facing. No flood lighting is permitted on the site.

**Reasons:**

1. For the avoidance of doubt and in the interests of proper planning.
2. To comply with Section 91 (1)(a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
3. In order that the proposal would not have an unacceptable impact on the residential amenity of the surrounding neighbours contrary to Policy ENV22 of the Mole Valley Local Plan 2002.
4. In order that the proposal would not have an unacceptable impact on the residential amenity of the surrounding neighbours contrary to Policy ENV22 of the Mole Valley Local Plan 2002.
5. In order that the proposal would not result in unacceptable noise pollution contrary to Policy ENV22 of the Mole Valley Local Plan 2000.
6. In order that the proposal would not result in unacceptable noise pollution contrary to Policy ENV22 of the Mole Valley Local Plan 2000.
7. In order that the proposal would not result in unacceptable noise pollution contrary to Policy ENV22 of the Mole Valley Local Plan 2000.
8. In order that the proposal would not result in unacceptable noise pollution contrary to Policy ENV22 of the Mole Valley Local Plan 2000.
9. To reflect the terms of the application and to ensure that the land is returned to a condition that does not prejudice the resumption of the previous use, in the interest of character and appearance of the area and to ensure the harm from the proposal does outweigh the benefits of the proposal in the Green Belt in accordance with Draft Policy EN1 of the Mole Valley Draft Local Plan 2020-2037 and paragraphs 148 and 149 of the NPPF 2021.
10. In order that the proposed development would not result in unacceptable light pollution in accordance Policy ENV22 of the Mole Valley Local Plan 2000.

---

**Contact Chris Turner**

**Tel. no. 07812 776002**

---

**Background papers**

The deposited application documents and plans, including those amending or clarifying the proposal, and responses to consultations and representations received, as referred to in the report and included in the application file.

For this application, the deposited application documents and plans, and responses to consultations, are available to view on [our online register](#). The representations received are publicly available to view on the district/borough planning register. The Mole Valley District Council planning register entry for this application can be found under:

- [MO/2021/1912](#)

The following were also referred to in the preparation of this report:

### **Government Guidance**

[National Planning Policy Framework](#)

[Planning Practice Guidance](#)

### **The Development Plan**

*Mole Valley Local Plan 2000*

*Mole Valley Core Strategy 2009*

### **Other Documents**

Mole Valley Draft Local Plan 2020-2037

---



This page is intentionally left blank