

**APP/M3645/W/25/3374913 - Former Laporte Works Site,
Nutfield Road, Nutfield**

Heritage Statement of Common Ground

March 3rd 2026

Version 2

1. Introduction

1.1 This Heritage Statement of Common Ground has been prepared by Andrew Josephs Associates Ltd, on behalf of Nutfield Park Developments Ltd (the Appellant) in relation to the above appeal and agreed with Tandridge District Council (the Council).

1.2 It has been prepared to provide additional details regarding those matters that are agreed, and those not agreed, between the parties and is supplementary to the main Statement of Common Ground which deals with overarching planning matters.

2. Legislation and Planning Policy and Guidance

Legislation

2.1 The statutory legislation relating to the historic environment that is most relevant to the Appeal is the Planning (Listed Buildings and Conservation Areas) Act (1990) (CD5.12).

2.2 In particular, S66 of the Act states that:

In considering whether to grant planning permission or permission in principle 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.

Planning Policy

2.3 It is agreed that the relevant national planning policy relevant to the Appeal is:

National Planning Policy Framework, revised 2024 (CD5.1)

2.4 It is agreed that the key paragraphs of relevance to this Appeal are:

207. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

208. 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.

212. *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

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

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

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

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

a) the nature of the heritage asset prevents all reasonable uses of the site; and

b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

d) the harm or loss is outweighed by the benefit of bringing the site back into use.

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

Local Policy

2.5 The Tandridge District *Local Plan Part 2: Detailed Policies 2014-2029* (CD4.2) includes the following policy extract in relation to Heritage.

DP20: Heritage Assets

A. There will be a presumption in favour of development proposals which seek to protect, preserve and wherever possible enhance the historic interest, cultural value, architectural character, visual appearance and setting of the District's heritage assets and historic environment. Accordingly:

1. Only where the public benefits of a proposal significantly outweigh the harm to, or loss of a designated heritage asset or its setting, will exceptional planning consent be granted. These benefits will be proportional to the significance of the asset and to the level of harm or loss proposed.
2. Where a proposal is likely to result in substantial harm to, or loss of, a designated heritage asset of the highest significance (i.e. scheduled monuments, grade I and grade II* listed buildings, and grade I and grade II* registered parks and gardens), granting of permission or consent will be wholly exceptional.

B. In all cases the applicant will be expected to demonstrate that:

1. All reasonable efforts have been made to either sustain the existing use, find viable alternative uses, or mitigate the extent of the harm to the asset; and
2. Where relevant the works are the minimum necessary to meet other legislative requirements.

C. With the granting of permission or consent the Council will require that:

1. The works are sympathetic to the heritage asset and/or its setting in terms of quality of design and layout (scale, form, bulk, height, character and features) and materials (colour and texture); and
2. In the case of a Conservation Area, the development conserves or enhances the character of the area and its setting, including protecting any existing views into or out of the area where appropriate.

Planning Practice Guidance

2.6 It is agreed that the key paragraphs of relevance to this Appeal are:

“Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals, (para 07).

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the National Planning Policy Framework (requires that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing the optimum viable use of that asset, (para 16).

What matters in assessing whether a proposal might cause harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting, (para 18).

Proposed development affecting a heritage asset may have no impact on its significance or may enhance its significance and therefore

cause no harm to the heritage asset. Where potential harm to designated heritage assets is identified, it needs to be categorised as either less than substantial harm or substantial harm (which includes total loss) in order to identify which policies in the National Planning Policy Framework apply, (para 18).

Within each category of harm (which category applies should be explicitly identified), the extent of the harm may vary and should be clearly articulated, (para 18).

The National Planning Policy Framework requires any harm to designated heritage assets to be weighed against the public benefits of the proposal.

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit, (para 20),

The Setting of Heritage Assets (GPA3)

2.6 It is agreed that the technical guidance and methodology appropriate for assessing the harm on the setting of designated heritage assets is *The Setting of Heritage Assets (GPA3)* (CD6.37) published by Historic England.

Relevant case law

2.9 The High Court judgement in the case of *Barnwell Manor Wind Energy Ltd v E. Northants DC, English Heritage, National Trust & SSCLG* ([2014] ('Barnwell')) is relevant to the determination of this Appeal. The Court held that in enacting section 66(1) of the Listed Buildings Act 1990, Parliament intended that the desirability of preserving the settings of listed buildings should be given "*considerable importance and weight*" when the decision-maker carries out the balancing exercise. (CD 10.24)

3. Heritage Assets

3.1 The Appeal Site is not located within or adjacent to a Conservation Area. No listed buildings are located on the Appeal Site or within 100m of the proposed structural elements.

3.2 Four Grade II and one Grade II* listed assets are located within the built-up area of Nutfield Village, including 40-44 High Street (Grade II) (c. 115m from the proposed built development), The Queens Head Public House (Grade II) (c. 180m from the proposed built development), Church of St Peter and St Paul (Grade II*) (c. 130m from the proposed built development - the IRC - to the east, and Folly Tower In the Grounds of Redwood (Grade II) (c. 110m from the IRC proposed built development).

3.3 It is agreed that the two designated heritage assets that are relevant to this Appeal are:

- **The Church of St Peter and St. Paul**, listed Grade II* and described in list entry 1377573
- **Folly Tower**, Grade II and described in list entry 1029868

3.4 The list entries are agreed as accurate and included at **Appendix A**.

3.5 The distance from the two assets to the nearest built component of the proposed development – the Integrated Retirement Community (IRC) - are agreed and shown on **Figure 1**.



Figure 1 Location of assets and distance from IRC to the Church of St Peter and St Paul, and Folly Tower

4. Matters of agreement

4.1 It is agreed that the Heritage Statement (CD1.27) submitted with the planning application is policy compliant correctly identifying the built heritage assets and as such satisfies Paragraph 207 of the NPPF.

4.2 It is agreed that there would be less than substantial harm to the significance of the Church and Folly Tower from the proposed development.

4.3 It is agreed that the Senior Historic Buildings Officer, Historic Environment Planning, Surrey County Council, stated in their consultation response (11th December 2023) that the proposed development would result in a “*low degree of less than substantial harm*”. (CD 3.1, paragraph 10.13).

4.4 It is agreed that great weight must be afforded to the assets’ conservation and that the proposal should be weighed against public benefits, as set out in Paragraph 215 of the NPPF.

4.5 The parties agree that any harm to the significance of the designated heritage assets should require clear and convincing justification, in accordance with paragraph 213 of the NPPF.

4.6 There are other statutory listed buildings (designated heritage assets) located within the vicinity of the appeal site. It is agreed that the appeal site would preserve their special interest and setting. Accordingly, the significance including setting would be sustained by the appeal scheme thereby satisfying the relevant duties of the Planning (Listed Buildings & Conservation Areas) Act 1990, regarding listed buildings and their setting; and complies with the requirements of the NPPF and relevant policies of the Development Plan in that regard.

4.7 It is agreed that the approach in Barnwell does not prevent the grant of permission even where there is identified heritage harm. The case reaffirms that the statutory objective of preservation is a planning consideration of great weight and importance. Having acknowledged that, and then having regard to the particular facts of the case the decision maker is then entitled to balance the benefits of a proposal against the identified heritage harm pursuant to paragraph 215 of the Framework.

4.8 It is agreed that paragraph 215 of the NPPF requires any identified harm to designated heritage assets to be weighed against the public benefits of the proposal (paragraph 18a-020-20190723 of the PPG. The PPG confirms that public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the NPPF (paragraph 18a-020-20190723 of the PPG).

5. Matters of disagreement

5.1 There is disagreement between the parties with the Appellant's assessment of significance relating to the setting of the Church and the Folly Tower and whether this is in accordance with the requirements of best practice guidance in GPA3.

5.2 There is disagreement between the parties on the level of the Appeal site's contribution to the setting of the Church and to the setting of Folly Tower.

5.3 While there is agreement between the parties that the appeal scheme would cause "less than substantial harm" in NPPF terms to the significance of the Church and the Folly Tower, there is disagreement between the parties as to the extent of heritage harm within the "less than substantial" category:

- The Appellant calibrates the less than substantial harm to the significance of the Church and the Folly Tower at the lowest end of the spectrum.
- The Council calibrates the less than substantial harm to the significance of the Church and the Folly Tower at the low to moderate point of the spectrum.

5.4 The parties disagree as to the outcome of the balancing exercise under paragraph 215 of the NPPF

Signed on behalf of Tandridge District Council

	
Name: Deborah Gardner	Date: 3 rd March 2026

Signed on behalf of the Appellant

	
Name: Andrew Josephs	Date: 3 rd March 2026

Reference: APP/M3645/W/25/3374913: Heritage SOCG

Appendix A - List entry descriptions

Church of St Peter and St Paul

Heritage Category:

Listed Building

Grade:

II*

List Entry Number:

1377573

Date first listed:

11-Jun-1958

List Entry Name:

Church of St Peter and St Paul

Statutory Address 1:

CHURCH OF ST PETER AND ST PAUL, CHURCH HILL

Details

TQ 35SW NUTFIELD C.P. CHURCH HILL

2/255 Church of St. Peter and 11/6/58 St. Paul

GV II*

Church. C13 with tower rebuilt to top in 1786, restored in 1882 by W.O. Milne. Coursed stone to base of tower, rubblestone above with repairs in brick to top. Rendered and pebbledashed south aisle and nave with stone dressings. Plain tiled roofs, Horsham slabs to chancel and wooden shingles on spire. Aisled nave with porch to south and vestry to south west. Tower and spire to west end, chancel and priests vestry to east and north. Two stage battlemented tower with turret on north east corner and angle buttressing. Two-light foil headed windows to top stage, one light Victorian window to first stage. Perpendicular style Victorian window on west face. Renewed Victorian windows to south, Perpendicular style to north aisle. L C14 and 1 C15 window remain on south chancel wall. West door in moulded surround, south door planked with strapwork hinges in gabled half glazed timbered porch; quatrefoil decoration to arch spandrels.

Interior:- 3 bay nave arcades, C13 on round piers with corbelled arches. C14 corbelled chancel arch on attached piers with moulded capitals. Blocked C13 arch to north Chapel. Continuous mouldings to tall impressive tower arch. Rubble stone walling revealed in chancel.

Fittings:- C15 arched piscina on south chancel wall. Rood screen - wood part C16 part C19 restoration. Jacobean Pulpit with foliage and band decoration on stone stem, part C17 part C19. C15 stone octagonal font bowl on stem of 1665 with quatrefoil decoration and inscription on stem reading "HH TW 1665".

Stained Glass:- East window 1890 by Edward Burne Jones produced by Morris and Co. Good example with deep greens and blues. Further window by Burne Jones in south east of window of south aisle.

Reference: APP/M3645/W/25/3374913: Heritage SOCG

Dedicated to Mary French.

Monuments:- South chancel wall: Brasses. Standing figures of man and wife circa 15 inches tall. Stone plaque above to Benjamin Hollingsworth dated 1755. Monument to Robert of Fulham. Rector '305-28. Chest under arched canopy with corbel and roll mouldings. Foliated cross incised into Tomb lid. North chancel wall: Rectangular tablet to Charles Cullman, died 1651. Stone with moulded edge. Shield above with Coat of Arms.

South Aisle wall: Old weathervane from Tower survives. Iron. Dated 1707, with inscription in cut letters "IBRC". North Aisle wall: Monument to John Peter Elige. By Lupton 1814. Grey stone stele on white plinth with flanking scrolls and apron guttae. Mourning cherub above plinth on symbols of Army Surgeons craft - Cannon, Shields etc.

Listing NGR: TQ3092050870

Folly Tower

Heritage Category:

Listed Building

Grade:

II

List Entry Number:

1029868

Date first listed:

25-Apr-1984

List Entry Name:

Folly Tower in Grounds of Redwood

Statutory Address 1:

FOLLY TOWER IN GROUNDS OF REDWOOD, HIGH STREET

Details

TQ 35SW NUTFIELD C.P. HIGH STREET

2/264 Folly Tower in grounds of "Redwood" II

Folly Tower. 1858. Coursed stone with brick quoins to angles; stone quoins on lowest stage. Square, 3 stages with rendered dressed stone battlemented parapet to top; gargoyles in angles of string course at base of parapet. Stringcourses over ground and first stages. One 2-light stone dressed window in each face of upper stages. Door to left hand side. Single storey brick extension to right side.

Listing NGR: TQ3089050658



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