

Appeal Decision

Site visit made on 20 February 2017

by Joanna Reid BA(Hons) BArch(Hons) RIBA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 March 2017

Appeal Ref: APP/C3620/W/16/3164374

2 Winfield Grove, Newdigate, Dorking, Surrey RH5 5AZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Nigel Sparks against the decision of Mole Valley District Council.
 - The application Ref MO/16/0709/PLA, dated 13 May 2016, was refused by notice dated 29 September 2016.
 - The development proposed is 1 No. 2 bedroom and 1 No. 3 bedroom house on land adjacent to 2 Winfield Grove.
-

Decision

1. The appeal is dismissed.

Procedural matters

2. The postcode for the appeal site that was given on the application form relates to an area some distance from the site, so I have used the postcode given on the appeal form, which is more relevant, in the banner heading above.
3. At my request, the Council put in an extract from the Development Plan proposals map that shows the village boundary in relation to the appeal site and its surroundings for clarification only.

Main issue

4. The main issue in this appeal is whether the proposed development would be inappropriate development in the Green Belt, and if so, whether the harm by reason of inappropriateness and any other harm would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Green Belt

5. The appeal site is within the Green Belt. It is reached from the turning area at the end of Winfield Grove, which is within the village of Newdigate. Although the Council's delegated report refers to a side extension to the existing dwelling at 2 Winfield Grove and a detached garage, both had been removed by the time that I made my visit.
6. In 2015, planning permission was granted for a 2-storey detached dwelling by my colleague in his appeal decision ref APP/C3620/W/15/3130564 (the

approved dwelling). The approved dwelling has not been built, but it would be sited between the proposal and the existing dwelling at 2 Winfield Grove. So, I shall consider the scheme before me with and without the approved dwelling in place in reaching my decision in this appeal.

7. Newdigate is defined as a small rural village in Policy CS 1 of *The Mole Valley Local Development Framework Core Strategy* (CS). CS Policy CS 1 seeks infilling only on previously developed land within the small rural villages. Policy RUD1 of the *Mole Valley Local Plan* (LP) says that within the Green Belt village of Newdigate the principle of infill development is acceptable.
8. The *National Planning Policy Framework* (Framework) explains that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The Framework also states that substantial weight should be given to any harm to the Green Belt.
9. The Framework says that the construction of new buildings should be regarded as inappropriate in the Green Belt. Exceptions to this include limited infilling in villages, and limited infilling or the partial or complete redevelopment of previously developed sites which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
10. The site includes the roughly southern part of the garden of the existing dwelling at 2 Winfield Grove and access from Winfield Grove. Part of the shared access to the proposed dwellings would be within the built-up area. However, the rest of the site including part of the access, the dwellings and their back gardens, would be sited outside the built-up area, so they would be, in policy terms, in the countryside. The loose-knit dwellings on the southern side of Darbyshire Road are in a similar position, but as rural exception dwellings are acceptable in the countryside they offer little support for the scheme. There is also a good-sized open gap between the nearest building in Darbyshire Road and the roughly south east boundary of the site.
11. The proposal would greatly increase the amount of development within the part of the garden of the dwelling at 2 Winfield Grove that is not within the village. Also, due to its deeply set back siting, with or without the approved dwelling, the proposal would be poorly related to the existing development in Winfield Grove and in Darbyshire Road. Thus, the proposal would not amount to the development of a small gap in an otherwise continuous built-up frontage, or the small scale redevelopment of properties within such a frontage. Therefore, the proposal would not be infill development in terms of local or national policy.
12. Also, with regard to the second exception referred to above, and having regard to the definition of previously developed land in the Framework, part of the existing drive is outside the built-up area, and it would amount to previously developed land. However, the dwellings would be sited roughly south west of the existing development in Winfield Grove, and they would step away from the frontage development, broadly reflecting the alignment of the existing hedgerow by the south east boundary. Because the proposal would harmfully intrude into the part of the garden that is within the Green Belt countryside, beyond the drive, the proposal would be contrary to the Green Belt purpose of safeguarding the countryside from encroachment.

13. Moreover, due to the bulk, scale, site coverage and siting of the proposal, including the built forms of the 2-storey pitched roofed dwellings, it would unacceptably intrude into the existing open space above the drive and in the back garden. Thus, the proposal would erode much more of the openness of the Green Belt in the part of the site that is outside the built-up area boundary than the existing drive. Because the proposal would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development, it would not amount to an exception for the partial or complete redevelopment of this partly previously developed site.
14. The proposal would also not be for any other exception in Framework paragraphs 89 and 90, so it would be inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt. Therefore, I consider that the proposal would cause considerable harm to the Green Belt by reason of inappropriateness. It would be contrary to CS Policy CS 1, LP Policy RUD1 and the Framework.

Other considerations

15. Turning to the other considerations that were raised by the appellant, the benefit of 2 new dwellings would attract moderate weight. My colleague's reasons for allowing the approved dwelling included that the development, which would straddle the village boundary, would amount to infill. So, it differs from the proposal, which I have dealt with on its merits and in accordance with its site specific circumstances and relevant local and national policy. This matter attracts almost no weight in favour.
16. The appellant says that the scheme complies with a number of other Development Plan policies. However, they were not concerns in the Council's reasons for refusal, and I see no reason to disagree. As compliance with these other policies amounts to an absence of harm, this matter attracts no weight.

Green Belt balance

17. The moderate weight in favour due to the 2 new dwellings and almost no weight due to the effect of the approved dwelling would together be insufficient to clearly outweigh the considerable harm to the Green Belt by reason of inappropriateness. Therefore, the very special circumstances needed to justify the development do not exist. The proposal would be contrary to CS Policy CS 1, LP Policy RUD1 and the Framework.

Conclusion

18. For the reasons given above and having regard to all other matters raised, the appeal fails.

Joanna Reid

INSPECTOR