
Appeal Decision

Site visit made on 15 March 2019

by David Storrie DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 September 2019

Appeal Ref: APP/M3645/W/18/3217747

Birchwood Lodge Kennels and Cattery, Woldingham Road, Woldingham, CR3 7LR

- 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 Andrew Bell against the decision of Tandridge District Council.
 - The application Ref TA/2017/2400, dated 20 November 2017, was refused by notice dated 22 June 2018.
 - The development proposed is the demolition of existing buildings and erection of two bungalows.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the Surrey Hills Area of Outstanding Beauty (AONB).

Reasons

3. The appeal site is irregular in shape and currently operating as kennels and cattery with a car parking area and a number of buildings of varying scale and design scattered around the site. It is located on the southern side of, and set back from, Woldingham Road from which it takes access from. Birchwood Lodge lies to the north with Birchwood Farm to the west containing a number of agricultural buildings. Open land exists to the south and east of the site. The site lies within an AONB.
4. Since the appeal application was determined by the Council, planning permission has been granted for the erection of one bungalow on the site in November 2018 (Application reference TA/2018/1566). The approved bungalow is of an identical design as those the subject of this appeal. This planning permission is a material consideration.
5. There is no dispute between the parties that the proposed development would result in an overall reduction in footprint and volume of building coverage on the site with a proportion of it being open, albeit it would be enclosed domestic curtilage as opposed to open countryside.
6. The existing kennel and cattery buildings are of varied scales and designs with the majority set adjacent to the external boundary of the site. This creates a

- sense of enclosure and built form that is at odds with the predominant open character of the AONB.
7. Whilst the proposed bungalows would result in an overall reduction of built form on the site, the proposed siting would bring the front corners of each bungalow very close to the south-eastern and north-western boundary with plot 1 being some 0.6m and plot 2 some 1.2m. This coupled with a gap of only some 0.75m between the two proposed bungalows, would present a cramped form of development.
 8. I consider that any visual benefits that would be gained from an overall reduction in built form on the site would be significantly undermined by the cramped appearance of the two bungalows given how close the front corner of each bungalow would be to the side boundaries of the site. Policy CSP 20 of the Tandridge District Core Strategy (CS) (2008) amongst other things, seek to conserve and enhance the natural beauty of the landscape in the AONB.
 9. This includes the setting of the AONB and views into it and out from it. Whilst other buildings are evident in the immediate locality and they in themselves have an impact on the character of the AONB, their built form and scale is not comparable to the appeal site. It is the cramped nature of the proposed development that I consider would cause the harm to the landscape character of the AONB. This would fail to conserve nor enhance the natural beauty of the AONB.
 10. The Council's reason for refusal also refers to the proposed development being contrary to the document *Building Design into the Surrey hills*. Within the AONB the Council expect new buildings to be of a high-quality design. The Council have already approved the proposed bungalow design in granting planning permission for one bungalow in November 2018. As such I would agree that design is not the issue in this appeal it is the cramped nature of the siting of two bungalows on the site that would result in a negative impact on the character of the AONB.
 11. The proposal would result in the removal of a number of trees to accommodate the development. I have not been provided with a Tree Report and none of the trees are protected by a Tree Preservation Order. The appellant says they are of poor quality and that a number of the trees would need to be removed in order to accommodate the dwelling approved in November 2018. From my site visit I did not see the loss of trees to be an issue.
 12. Whilst I note that there is some support for the proposed development from third parties, this in itself would not overcome the harm I have identified in terms of the cramped appearance.

Planning balance and conclusion

13. The overall reduction in volume and footprint on the site is welcomed but the cramped form of the proposed development that I have identified above, Taking all the above into account I conclude that the proposed development, would fail to conserve and enhance the special landscape character of the AONB contrary to policy CSP 20 of the CS.
14. For the above reasons I dismiss the appeal.

David Storrie

INSPECTOR