



Appeal Decisions

Site Visit made on 19 May 2021

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 MAY 2021

Appeal A Ref: APP/C3620/W/20/3252634

The Floral Bungalow, The Chase, Ashted KT21 2JN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr Robin Gardener against the decision of Mole Valley District Council.
 - The application Ref MO/2020/0388/PIP, dated 24 February 2020, was refused by notice dated 9 March 2020.
 - The development proposed is a single dwelling over two and a half storeys of approximately 180sqm and oriented as shown in accompanying drawing (6483-PA-301).
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Appeal B Ref: APP/C3620/W/20/3252635

The Floral Bungalow, The Chase, Ashted KT21 2JN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr Robin Gardener against the decision of Mole Valley District Council.
 - The application Ref MO/2020/0389/PIP, dated 24 February 2020, was refused by notice dated 9 March 2020.
 - The development proposed is a single dwelling over one and a half storeys of approximately 180sqm and oriented as shown in accompanying drawing (6483-PA-302).
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Decision

1. Appeal A and Appeal B are both dismissed.

Preliminary Matters

2. The proposals are for permission in principle. Planning Practice Guidance advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second (technical details consent) stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted.
4. The appellant has included some detail including height, floor area and orientation in the descriptions of development and illustrative drawings. However, it is not in dispute that size and layout would be considered at the

technical details consent stage. Consequently, such information is indicative only, and therefore both Appeal A and B seek permission in principle for one dwelling. I have determined the appeal accordingly.

Main Issue

5. The main issue is whether the site is suitable for residential development, having regard to the amount of development.

Reasons

6. Floral Bungalow and its neighbours form a distinctive group of low level development in generous surroundings influenced by the open space of the Floral Pond, their plot sizes and set back from the road. In the streetscene, even though they are behind a wall, the openness of the landscaping and pond are prominent while, due to their set back from the road, the dwellings are only seen in glimpsed views from a distance. The group of properties including Floral Bungalow are characterised by an attractive sense of spaciousness and provide a green landscaped break in the streetscene,
7. This group are enclosed by a notable brick boundary and vegetation facing the street with defined boundaries to the sides, resulting in a separate character to the other properties on The Chase.
8. Permission has been granted for a bungalow adjacent to Floral Bungalow on a more modest plot, and works were taking place on this site at the time of my site visit. This results in a more developed character to this area. Nevertheless, the pleasant green and open characteristics of this area remain.
9. A dwelling on the appeal site would be close to the road and would be likely to be visible from The Chase even if it were a single storey house. This would harmfully erode the distinctive sense of openness on this part of the site and the positive green break in the streetscene.
10. The proposed developments would also significantly reduce the size of the plot for Floral Bungalow. Notwithstanding the distance of the dwelling from Floral Bungalow and whether the existing garage would be replaced, the proposed developments would undermine the generous plot sizes resulting in cramped development relative to this context. Further undermining the spacious character of the appeal site and its surroundings.
11. I am not persuaded that the built form of a new dwelling would not be seen in public views from The Chase. In any case, it would be seen from neighbouring properties and therefore this harm would be experienced.
12. Matters relating to location and proposed land use are not in dispute between the main parties.
13. Therefore, the site would not be suitable for residential development, having regard to the amount of development. Consequently, in this respect, the proposed developments would be contrary to Policies CS14 of the Core Strategy Adopted October 2009, ENV 22, ENV23 and ENV24 of the Mole Valley Local Plan Adopted 12th October 2000 and AS-H5 and AS-En3 of the Ashted Neighbourhood Forum Neighbourhood Development Plan 2015-2026 (the Neighbourhood Plan) as well as the policies in the National Planning Policy Framework (February 2019) (the Framework). Together these require new

development to respect and enhance the character of the locality, and not to result in a cramped appearance amongst other things.

14. Policy AS-H3 of the Neighbourhood Plan mainly relates to the size and mix of housing units. Therefore, the policies set out above are more relevant to this main issue.

Planning Balance

15. The Council cannot demonstrate a 5 year housing land supply and it is put to me that there is a 3 year supply. Therefore, paragraph 11(d) of the Framework is engaged.
16. The proposed developments would provide a housing unit which would contribute towards the government's aim to significantly boost the supply of housing. It would be on a windfall site, in an existing settlement, accessible to shops and services and would make efficient use of land. Nevertheless, given the size of the developments these benefits would be limited in their scale.
17. However, there would be significant environmental harm arising from the public and permanent harm to the distinctive character and appearance identified above resulting from the principle of one dwelling in this location. Therefore, even taking into account the housing land supply at the notable level of shortfall put to me, the adverse effects of the proposals significantly and demonstrably outweigh the limited benefits, when considered against the policies in the Framework as a whole. Consequently, the presumption in favour of sustainable development does not apply in these cases.

Conclusion

18. Both Appeal A and Appeal B would not accord with the development plan and there are no other considerations, including the provisions of the Framework, to indicate that the appeals should be determined otherwise. Therefore, for the reasons given above, I conclude that Appeal A and Appeal B should both be dismissed.

H Miles

INSPECTOR