
Appeal Decision

Site visit made on 2 February 2021

by N Holdsworth MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 May 2021

Appeal Ref: APP/M3645/W/20/3246191

Tanglewood Farm, Lower South Park, South Godstone, RH9 8LF

- 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 and Mrs Evans against the decision of Tandridge District Council.
 - The application Ref TA/2019/1284, dated 17 July 2019, was refused by notice dated 9 January 2020.
 - The development proposed is demolition of existing buildings and removal of sand school and erection of detached bungalow, double garage and store.
-

Decision

1. The appeal is dismissed.

Main Issues

2. These are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect on the character and appearance of the area;
 - Whether or not the site is a suitable location for residential development, considering the proximity to services and their accessibility by means other than the private car.

Reasons

Inappropriate Development

3. The Framework states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt, with certain exceptions. This position is reiterated in policies DP10 and DP13 of the Tandridge District Local Plan Part 2 (2014) (Local Plan).
4. However, one exception to inappropriate development is set out in paragraph 145 (g) of the Framework. This involves the partial or complete redevelopment of previously developed land, which would not have a greater impact on the openness of the Green Belt than the existing development. There is agreement that the site comprises previously developed land.

5. The proposed development involves the replacement of a cluster of stables with a single storey dwelling and two outbuildings. Whilst there is some consolidation of built form, it is clear from the plans that were originally submitted to the Council that the new buildings would be of a broadly similar size and scale to those that exist on the site at the moment, and would be sited in a similar location. The use of the site would change from equestrian to residential use. However, the overall level of activity, including comings and goings, to and from the site on a daily basis is likely to be broadly similar to that which exists at present.
6. Planning conditions could be used to define the extent of hardstanding and ensure appropriate landscaping is used around the new buildings. This would ensure that the site retains an open appearance that is visually sympathetic to its surroundings. Subject to this, there would be no additional impact on the openness of the Green Belt in either spatial or visual terms, beyond the existing development on the site.
7. The proposal therefore complies with the exception set out in paragraph 145 (g) of the Framework. Whilst policy DP13 of the Local Plan also requires proposals for the redevelopment of previously developed land to not conflict with the purposes of including land within the Green Belt, this is not reflected in the current relevant wording of the Framework, which was published after the Local Plan. Consequently, it is not necessary to consider the proposal against this additional criterion.
8. Consequently, having had regard to the development plan and the Framework, I conclude that the proposal is not inappropriate development. There is no harm to the Green Belt.

Character and Appearance

9. The site currently has the appearance of a set of utilitarian stables. The surrounding area is a rural landscape characterised by open fields. The current use of the site and purpose of the buildings is for activities connected to the keeping of horses, a use that requires a countryside location and is expected in such areas.
10. By contrast the proposed development would appear as a residential building in the middle of this rural environment, with no relationship to the activities that may be conducted on the surrounding land. This would be unexpected and visually disruptive, having a suburbanising effect on the locality.
11. The proposed building would appear as an anonymous modern bungalow. It would be obvious from the fenestration that this is a private house and not a set of stables. Aside from limiting its height, no significant attempt has been made to make the building blend in with its surroundings by way of design, either through adopting traditional architecture or a form of sympathetic contemporary design. Planning conditions could be imposed, requiring further details of landscaping, materials and a programme of ecological enhancement, but such conditions are normally used to resolve matters of detail. It has not been demonstrated on the evidence before me that good design can be achieved, were the proposal to be approved.
12. Consequently, there would be significant harm to the character and appearance of the area. This specifically arises through the incongruous appearance of the

building and residential use in relation to the surrounding area. In this respect the proposal conflicts with policies CSP18 and CSP21 of the Tandridge District Core Strategy (2008) (Core Strategy) and Policy DP7 of the Local Plan which, amongst other things, require a high standard of design that conserves and enhances landscape character, when new development is proposed. I attach significant weight to the harm that would arise, in consequence.

Location

13. The site is accessed from a country road which leads off a private housing estate. It is located in the countryside around Blindley Heath. This is a loosely dispersed rural settlement with some shops and services clustered around the A22. It is served by some rural bus routes.
14. It would be possible to walk to the services in Blindley Heath from the site. However, it would take around 20 to 30 minutes, so it would not be a particularly convenient option. The need to negotiate the A22, a busy road, is likely to deter cycling for most future occupants. Consequently, the accessibility of services by means other than the private car is limited.
15. Policy CSP 1 of the Core Strategy sets out a restrictive approach towards new development outside of established settlements, with the intention being to promote sustainable patterns of development. This policy predates the Framework, which states that in rural areas housing should be located where it will enhance or maintain the vitality of rural communities. However, because of the remote location of the site in relation to the centre of Blindley Heath, that would not be the case here.
16. Given its location beyond the existing built up area, largely surrounded by fields and woodland, the proposal would comprise an isolated dwelling in the countryside. Paragraph 79 of the Framework states that such development should be avoided. As the existing development is mostly being demolished, it does not meet the exception set out in paragraph 79 (c). The evidence before me does not demonstrate that the proposal serves an essential need relating to activities in the countryside and the building would not be of exceptional design. As such, none of the other exceptions apply.
17. Whilst the existing use of the site would generate some trip movements, as they relate to equestrian activity they would inevitably need to be located in the countryside. This is not true of the proposed residential development. This consideration does not justify the proposed development. Nor does the fact that there would be no significant impact on the highway network.
18. Consequently, the location is unsuitable for residential development, having had regard to the proximity to services and their accessibility by means other than the private car. The proposal conflicts with policy CSP 1 of the Core Strategy and the Framework, both of which promote a choice of transport options where new development is proposed.
19. However, as the proposal is only for a single dwelling, the overall impact on the pattern of growth and development within the District would be limited. I therefore attach limited weight to the harm that would arise, in consequence.

Other Issues

20. Enhancement of Green Belt. It is argued that the proposal would enhance the Green Belt. However, the suggested reduction in size of buildings over the existing situation is minimal. The existing buildings, together with the hardstanding and sand school are longstanding rustic and utilitarian structures that do not detract from the Green Belt. The replacement development does not represent a significant betterment to the Green Belt. New areas of landscaping and boundary treatments could be secured by planning condition. However, these would serve the purpose of helping to integrate the new development in-to its surroundings, they do not represent the betterment of the Green Belt. The provision of garaging would not prevent cars from being parked on the remaining hardstanding. Overall, there is no significant enhancement to the Green Belt such that would amount to a consideration in favour of the proposed development.
21. Other Decisions. Several other appeal decisions were submitted by the appellant. The recent decision in South Nutfield is of little relevance as the existing development was a tennis centre in the countryside, rather than stables as is the case here. The case in Bletchingly involved the conversion of an existing building rather than redevelopment. In the case in Horley, the Inspector found that the appearance of the proposed building would be acceptable having regard to the existing development on the site and that which surrounds it. In all of these cases the Inspectors conclusions were clearly drawn from the particular circumstances of the proposed development and planning policies that applied. I have taken the same approach in my reasoning above but in some cases I have come to different conclusions.
22. Reference is also made to various local authority decisions. In some cases the appearance of the proposal was found to be acceptable which led to the grant of planning permission, in others the principle of development had been established through permitted development rules. These cases do not lead me to a different view on the main issues in this appeal.

Conclusion – Development Plan

23. The proposal would provide an additional house with a good standard of living accommodation. It is also suggested that a good standard of environmental performance would be achieved, and this could be secured by condition. There is no harm to the Green Belt. However, there would be an unacceptable effect on the character and appearance of the area and the location of the development does not accord with the adopted policies set out in the local plan. As such, the proposal conflicts with the development plan, when it is considered as a whole.

Presumption in favour of sustainable development.

24. The appellant argues that the Council cannot demonstrate a five year housing land supply with the current supply being around 1.43 years. This represents a significant shortfall. In these circumstances, the Framework states that the development plan policies that are most important for determining the application are out-of-date. It directs that planning permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when considered against the policies in the Framework taken as a whole. In this case, the proposal is acceptable in

terms of its effect on the Green Belt, so it does not conflict with policies in the Framework that protect assets of particular importance.

25. The proposal would result in one additional dwelling, making a small contribution to addressing the established housing shortfall. Good living conditions would be provided and a high standard of environmental performance could be secured by way of planning condition, along with a programme of ecological improvement. There would be economic benefits through spending associated with the development. These considerations attract moderate weight, in favour of the proposal.
26. However, the proposal would relate poorly to its surroundings, and the design as proposed is undistinguished and anonymous. Furthermore, because of its location, the proposed dwelling would have very limited levels of accessibility by means other than the car. The Framework states that the creation of high-quality buildings and places is fundamental to what the planning process should achieve. Additionally, proposals must be sympathetic to local character, including the surrounding landscape setting. The proposal conflicts with these objectives, and I attach very significant weight to the harm that would arise, in consequence.
27. Overall, the balance is such that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when the proposal is considered against the policies in the Framework taken as a whole. The presumption in favour of sustainable development does not therefore apply.

Final Conclusion

28. The proposal conflicts with the development plan when it is considered as a whole and there are no other considerations, including national planning policy, that outweigh this finding. The appeal should be dismissed.

Neil Holdsworth

INSPECTOR