



Appeal Decision

Site Visit made on 15 September 2021

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 OCTOBER 2021

Appeal Ref: APP/M3645/W/20/3260032

Land Adjacent to West View, Southview Road, Woldingham CR3 7AB

- 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 P Lawson Johnson of Porch House Ltd against the decision of Tandridge District Council.
 - The application Ref TA/2020/686, dated 2 April 2020, was refused by notice dated 29 May 2020.
 - The development proposed is erection of single storey dwelling, formation of new driveway with access onto Southview Road and associated works.
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Decision

1. This appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal is inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies.
 - The effect on the openness of the Green Belt.
 - The effect of the proposed development on the character and appearance of the area.
 - If the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether the proposal is inappropriate development

3. The National Planning Policy Framework July 2021 (the Framework) sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; and the essential characteristics of Green Belts are their openness and their permanence. The Framework goes on to state that inappropriate development is harmful to the Green Belt. The construction of new buildings in the Green Belt should be regarded as inappropriate, and thus should be approved only if very special circumstances exist, unless they come within one of the categories in the closed list of exceptions in either paragraph 149 of the Framework. Of relevance to this appeal is that 'limited infilling in villages' is listed as an exception at paragraph 149 e). These requirements are broadly replicated by Policies DP10 and DP13

of the Tandridge Local Plan Part 2: Detailed Policies 2014-2020 (July 2014) (the Local Plan).

4. The golf course provides a notable break in development and physical separation between the appeal site and the main part of Woldingham. Furthermore, access is either via road which is without footpaths for part of the route or unmade and unlit footpaths. Therefore, the site is not within easy access of the local services at The Crescent and Woldingham Railway Station, other than by private car. Consequently, the site is notably separate to Woldingham.
5. The appeal site is within a loose knit group of dwellings along Southview Road and is not isolated. Taking into account the size of this group of dwellings, the lack of services and the loose knit nature of the area, this cluster of properties does not constitute a village in itself.
6. Furthermore, this side of Southview Road is characterised by detached dwellings set in generous grounds. Properties generally have a large gap between one another and some plots are interspersed with open land. Therefore, the appeal site is not a gap in what is otherwise a largely uninterrupted built frontage.
7. Consequently, the proposal is not limited infilling in a village and is inappropriate development in the terms of the Framework and Policies DP10 and DP13 of the Local Plan.

Openness

8. Openness has both visual and spatial aspects. The development of a dwelling with a sizeable footprint on what is a currently open site would result in a notable reduction in spatial openness. The new building and its associated access would be clearly perceived from public views along Southview Road, as well as from neighbouring plots. Therefore, it would also be harmful to the visual openness of the site.
9. The development would involve the construction of a new dwelling on a highly visible open plot of land. Therefore, the proposed development would result in significant harm to openness. Consequently, in this respect, it would be contrary to Policies DP10 and DP13 of the Local Plan, the aims of which are set out above and paragraph 147 of the Framework.

Character and Appearance

10. The properties along Southview Road are varied in their appearance, however they share positive characteristics including their generous size and settings and largely traditional forms including pitched roofs.
11. The proposed development would be a single storey, flat roofed design. The insertion of windows and doors, along with the separate access and likely boundary treatment would mean that the development would clearly appear as an individual dwelling, not as an ancillary kitchen garden. The proposed design would be at odds with the overall form and arrangement of the surroundings and consequently would be a visually jarring addition to the streetscene.
12. Therefore, the proposed development would have a harmful effect on the character and appearance of the area. Consequently, in this respect it would be

contrary to Policy DP7 of the Local Plan which sets out requirements to ensure new development is of a high quality design.

Other Considerations

13. The proposed development would provide the social and economic benefits of a single new housing unit. However, the benefits associated with the provision of a single dwelling are very limited. The dwelling would be a zero carbon home. This is relevant in the context that the Council have declared a climate emergency. However, the fact that the proposed dwelling would not use additional carbon is mitigation for the potential negative effects of development, and therefore holds limited weight as a benefit. Whilst it may be possible to restrict future permitted development rights this would only be justified to limit any subsequent harm which would only occur if the dwelling was constructed. As such, this is not a benefit of the proposal.
14. Biodiversity enhancement measures are proposed including landscaping which is native or has a benefit to wildlife, bat and bird boxes, log piles and management of the woodland area to the rear. However, there is a reasonable likelihood that reptiles may be present. In the absence of survey work to establish likely presence or absence and inform the need for mitigation measures, the effectiveness of any mitigation and enhancement measures to potentially off-set any harm to biodiversity cannot be fully assessed. Overall, the effects are likely to be neutral and are therefore not a benefit.

Green Belt and Planning Balances

15. The Government attaches great importance to Green Belts. Paragraph 148 of the Framework states that substantial weight should be given to any harm to the Green Belt. I have found harm to the Green Belt by reason of the proposed development's inappropriateness and its effect on openness. As well as the public and permanent harm to the character and appearance of the area. Balanced against that are the other considerations discussed above. However, even when considered together, these do not clearly outweigh the harm to the Green Belt.
16. The very special circumstances necessary to justify the development therefore do not exist. Consequently, the proposed development would conflict with policies DP10 and DP13 of the Local Plan and paragraph 148 of the Framework the aims of which are set out above.
17. The Council cannot demonstrate a 5 year housing land supply. Therefore paragraph 11(d) of the Framework is engaged. However, as set out above, the application of policies relating to land designated as Green Belt provides a clear reason for refusing the development proposed. Consequently, the presumption in favour of sustainable development does not apply in this case.

Conclusion

18. The proposed development would not accord with the development plan and there are no material considerations to outweigh that finding. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

H Miles

INSPECTOR