



Appeal Decision

Site visit made on 14 December 2022

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2023

Appeal Ref: APP/C3620/W/22/3295910

Stonehouse Wood, Walliswood Green Road, Walliswood RH5 5PL

- 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 Moon against the decision of Mole Valley District Council.
 - The application Ref MO/2021/1104/PLA, dated 11 June 2021, was refused by notice dated 26 January 2022.
 - The development proposed is described as the demolition of existing properties and agricultural buildings and erection of four new dwellings comprising 2 x detached family dwellings and a pair of semi-detached family properties together with parking and landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the area, and whether the appeal site is a suitable location for that proposed, having regard to relevant policies relating to the countryside.

Reasons

Character and appearance

3. The appeal site is positioned approximately 0.5 miles from the centre of the small village Walliswood, which has a public house, a pre-school, village hall and the nearest bus stop. Although surrounded by fields and woodland, the appeal site is positioned opposite another residential property and forms part of the broad scattering of houses and farms characteristic of the roads leading from the defined centre of the village. This is a pattern of development repeated in the wider area creating loose linkages between a series of small rural villages.
4. The appeal site constitutes a collection of single storey farm buildings including a residential dwelling, with additional accommodation in the roof, which is situated to the front of the site. The buildings are clustered closely together along an established line of large trees which delineates the top of a ridge between 2 fields. These fields form a clearing within an otherwise wooded area. The position of the buildings along with the various areas of hard standing create a broadly triangular envelope which tapers towards the rear of the site.

5. This means the current built form on the appeal site sits comfortably within its surroundings. There is minimal intrusion into the open character of the surrounding fields and the trees are visually more imposing than the buildings when viewed from a wider area. It forms part of the bucolic landscape protected by the Area of Great Landscape Value (AGLV) designation.
6. The proposal would remove all existing buildings and erect 3 new ones around a central access drive. The proposed position of the buildings containing plots 2, 3 and 4 would be beyond the existing built envelope of the site. All 4 plots would have residential gardens extending still further into the surrounding fields.
7. The appeal site is currently characterised by a compact and defined built form, deferentially positioned and visually unintrusive in relation to the surrounding trees, fields, and woodland clearing. However, the proposal would create a sprawling layout blurring the current tight boundaries of the appeal site's built footprint, encroaching into the open fields, and commanding the ridge position of the site. This would be further exacerbated by the proposed 2 storey height and orientation of the proposed dwellings towards the centre of the site. As such the proposal would visually and physical harm the character and appearance of the appeal site as well as its countryside setting.
8. When viewed from the wider area, the site would be visually dominated by the proposed rear elevations, subsequent gardens, and likely associated paraphernalia, which would further draw undue attention to the awkward relationship between that proposed and the appeal site's immediate setting. The whole proposal would therefore domesticate and dominate the site with no bearing to the pleasant, and visually harmonious appearance the current collection of agricultural buildings has with the surrounding fields.
9. As individual designs the proposed 3 buildings would complement each other and would not be of a style or design out of place within the local area. However, their layout within the appeal site and their combined form and bulk would irreversibly harm the bucolic character of the site's setting, unacceptably reducing the surrounding openness. It would dominate the landscape features with no recognition of the balanced nature the existing footprint and layout of the site has with its surroundings.
10. The appellant states that should the existing extant permission and prior approvals on the site be implemented then it would be more harmful than that proposed. These would constitute a conversion of an existing barn into 2 dwellings, and a detached garage, swimming pool, and rear extension to the existing house.
11. However, from the information before me the extant permissions and approvals would be within the existing built form envelope and mainly toward the front of the site. They would not extend into the surrounding fields nor increase the overall height of the existing development on the site. Thus, they would not be more harmful as they would maintain the proportions of the appeal site's existing layout and its physical relationship with the surrounding landscape.
12. The proposed development would, therefore, have a significantly detrimental effect on the character and appearance of the area. It would not comply with Policy CS13 of the Mole Valley Core Strategy (CS) and Policies ENV22 and ENV23 of the Mole Valley Local Plan (LP), insofar as they seek to support new

development which respects its setting and protects the distinct character of an area.

Location suitability

13. Due to the appeal site's location, I am satisfied the appeal site would be within the countryside and nothing submitted opposes this conclusion.
14. CS Policy CS1 states that development should be directed towards built-up areas of the district and that development in the countryside should comply with other policies to be acceptable. LP Policy ENV3 sets out specific situations when development in the countryside could be appropriate. However new homes do not fall into these exceptions.
15. It is appreciated the Council cannot provide a 5 year housing land supply (5YHLS) and as strategic policies guiding development, CS Policy CS1 and LP Policy ENV3 would be considered out of date, as set out in paragraph 11 of the National Planning Policy Framework (The Framework). Although I will deal with the specifics of the 5YHLS in the Planning Balance below, it is necessary to consider the proposal in light of the Framework regarding housing in the countryside.
16. Paragraph 79 of the Framework promotes sustainable development in rural areas and housing should be located where it will enhance or maintain the vitality of rural communities, by supporting local services. It is emphasised within Paragraph 79 that development in one village may support services in a village nearby.
17. The proposal would provide social benefits in the form of 4 houses in a district with a housing shortfall, economic benefits in the form of construction jobs and environmental benefits could be secured by condition. The appeal site would be close enough to Walliswood to be accessible by pedestrian or cycle, and future occupants of the proposal would likely support the existing services there as well as those in neighbouring villages. I therefore find the proposal would comply with Paragraph 79 of the Framework.
18. Consequently, although the location of the appeal site would be contrary to with CS Policy CS1 or LP Policy ENV3, it's suitability would accord with Paragraph 79 of the Framework.

Other Matters

19. A lack of objection in relation to technical matters such as access and drainage is noted. However, a lack of harm is a neutral matter and so would not weigh for or against the proposal.
20. There is disagreement between the main parties as to whether the main house, annex and caravan within the site constitute a single residential dwelling or 3 separate ones. I observed on site that there are 3 post boxes at the entrance to the site and that the caravan is visually separated from the main dwelling and annex, which are within the same building, by other buildings on site. Nevertheless, this is a matter which would need to be considered via a lawful development certificate.

Planning Balance

21. The Council cannot demonstrate a 5YHLS nor achieve the requisite percentage within the Housing Delivery Test, indicating a delivery substantially below the housing requirement. As such paragraph 11(d) of the Framework is engaged.
22. As set out in my second main issue I have found the proposal complies with Paragraph 79 of the Framework. I have also considered that Paragraph 60 of the Framework seeks to boost significantly the supply of housing and Paragraph 69 of the Framework, recognises the importance of small sites in meeting the housing requirement of an area. It is also appreciated the proposal would be built out relatively quickly and the new dwellings could exceed current thresholds in terms of sustainable construction methods and energy usage.
23. This in combination with the associated economic and social benefits the proposal would have in contributing to the Council's 5YHLS would, however, only attract moderate weighting based on the number of houses involved. Whether that be 1 or 3 additional dwellings, considering the difference of position between the appellant and Council in relation to the annex and caravan.
24. However, housing provision should not come at the cost of good design, a position supported by paragraphs 130 and 134 of the Framework, and I have found significant harm in relation to the impact of the proposal's design on the character and appearance of the area. Therefore, in these circumstances, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

Conclusion

25. For the reasons given above the appeal scheme would conflict with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, that would indicate a decision otherwise. The appeal is, therefore, dismissed.

RJ Redford

INSPECTOR