



Appeal Decision

Site visit made on 20 October 2023

by C Shearing BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 November 2023

Appeal Ref: APP/C3620/W/23/3318990

Stonehouse Wood, Walliswood Green Road, Wallis Wood, Surrey 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/2022/2038/PLA, dated 2 December 2022, was refused by notice dated 1 March 2023.
 - The development proposed is replacement of agricultural building (A3) and erection of 1no. dwelling with associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the banner heading above is taken from the application form, but with the references to the prior approval removed. The reference to A3 relates to the number of the building proposed to be removed, as annotated on the supporting plans.

Main Issues

3. The main issues are: (i) the effects of the proposal on the character and appearance of the area, and (ii) whether the site is suitably located for a new dwelling, having regard to the Council's spatial strategy.

Reasons

Character and Appearance

4. Stonehouse Wood is one of a number of properties sporadically located along this part of Walliswood Green Road. The appeal relates specifically to land at the rear of the main property, which comprises a group of single storey farm buildings set among mature trees and areas of hard surfacing. Open fields exist to the north and south of the appeal site, surrounded predominantly by woodland, and a public footpath crosses diagonally across the field to the north.
5. The existing group of buildings, including that numbered A3, are slightly dilapidated in their appearance and comprise a mix of timber framed and brick structures, often with corrugated metal sheet elevations and roofing of varying shapes and heights. However, due to their low level and proximity to one another as a cluster, the buildings sit comfortably within the rural setting and are harmonious with the surrounding farmland.

6. Despite the notable reductions in the floorspace and volume of buildings on the site, the proposed development would clearly appear as having two storeys, served by a series of flat roofs and significant overhangs. There would be substantial areas of glazing at both the ground and first floor levels, with an area of double height glazing within the west facing elevation. In addition, the proposal would be shifted slightly west of the existing cluster of buildings. The combination of these features would result in a building which would be in stark contrast with the existing rural character of the site. Together with the raised position of the ground in this location, the building would be visually prominent in localised views, including from the public footpath, from where the building would appear heavily at odds with its setting and would visibly reduce the sense of openness of the wider site.
7. Potential light spill arising from the areas of double height glazing would contribute to the visual harm arising from the proposal. As the curtilage would be tightly wrapped around the property, the effects of paraphernalia in the external garden areas alone would not be significant.
8. For these reasons, the proposal would cause harm to the character and appearance of the area and the landscape setting. It would conflict with policy CS13 of the Mole Valley Core Strategy 2009 (the CS) and policies ENV22 and ENV23 of the Mole Valley Local Plan 2000 (the LP) which, among other things, require development to respect the character and appearance of the area and its setting, including landscape character. The proposal would also conflict with the National Planning Policy Framework (the Framework), which requires that decisions recognise the intrinsic character and beauty of the countryside.

Location for Housing

9. Policy CS1 of the CS states that development should be directed towards built-up areas of the District and that development in the countryside should comply with other policies in order to be acceptable. LP Policy ENV3 sets out specific situations when development in the countryside could be appropriate. However, these do not include new homes.
10. I note the findings of the Inspector of the earlier appeal on this matter¹, who found that the location of the proposal would be in conflict with Policy CS1 and ENV3, but found them to be out of date, given the lack of a 5 year land supply for housing in the District. However, that Inspector concluded that the site was suitably located for housing having regard to paragraph 79 of the Framework, given its relative proximity to Walliswood. Based on the evidence before me, I have no strong reason to reach a different conclusion and I find the location of the site to be suitable for new housing.

Other Matters

Fallback Position

11. The appellant has presented a fall-back position in the form of the conversion of the buildings into two residential units, for which the Council confirmed prior approval was not required in March 2021². Based on the evidence, I have no reason to doubt that the appellant would otherwise implement this scheme if this appeal were dismissed. However, the nature of that scheme was notably

¹ APP/C3620/W/22/3295910

² MO/2021/0077/PNQ

different to the appeal scheme before me. It involved the conversion of the existing building, which would remain single storey with a shallow pitched roof and low eaves level. By reason of the position, scale and design of the fall-back scheme, it would have less harmful impacts on the character of the area.

12. The appeal scheme would result in less activity on the site, being a single house, and there would likely be less paraphernalia around the site as a result. Nonetheless, overall the appeal scheme would be more harmful to the character of the area and the fall back scheme would not provide justification for it.

Presumption in Favour

13. The main parties agree that the Council is unable to demonstrate a 5 year land supply for housing. It has a supply of just 2.9 years, indicating a deficit of 1,173 dwellings. The results of the housing delivery test also sit at 70%. As such, it is common ground that the provisions of paragraph 11d) of the Framework apply to the appeal.
14. The proposal would add a family home to the District's housing stock, in a location with reasonable accessibility to the services of Walliswood and which could be built out relatively quickly. There would be some economic benefit arising from the construction process and ongoing expenditure by future occupants. However, the contribution to the housing deficit would be very small and, given the scale of the proposal, together these benefits attract only moderate weight.
15. The appeal scheme would cause harm to the character and appearance of the area and to the landscape character, which would be significant and long lasting, and would result in conflict with both local policy and the Framework. As such, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. The proposal would not therefore benefit from the presumption in favour of sustainable development.

Further Matters

16. I note the other concerns raised by the Council in its appeal statement, relating to ecological impacts and public footpaths. As the appeal is dismissed on other grounds as set out, these matters do not need to be considered further.
17. I appreciate that the proposals for the site have been substantially scaled back since the earlier dismissed appeal. However, this would not provide a justification for the current appeal schemes nor lessen the harm which has been found.

Conclusion

18. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. The appeal is therefore dismissed.

C Shearing

INSPECTOR