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# Appeal Decision

Site visit made on 30 January 2024

**by H Miles BA(hons), MA, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 8 February 2024**

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**Appeal Ref: APP/M3645/W/23/3322700**

**The Stables, Little Common Lane, Bletchingley, Surrey RH1 4QF**

- 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 Mark Ambrose against the decision of Tandridge District Council.
  - The application Ref TA/2022/948, dated 8 July 2022, was refused by notice dated 5 April 2023.
  - The development proposed is demolition of existing stable buildings and the erection of a bungalow.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues 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 of the proposal on the openness of the Green Belt.
  - The effect of the proposal on the character and appearance of the area.
  - The quality of living conditions for future occupiers.
  - Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

## Reasons

### *Whether inappropriate development*

3. 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 paragraphs 154 and 155 of the Framework. This is

broadly echoed by Policy DP10 of the Tandridge Local Plan: Part 2 – Detailed Policies (2014) (LPP2).

4. Of relevance to this appeal, paragraph 154g) provides an exception for limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development. These requirements are reflected in Policy DP13 of the LPP2.
5. The main parties agree that this part of the appeal site is previously developed land and that this proposal involves its partial or complete redevelopment. Paragraph 154g) therefore requires that I go on to consider the effect on openness.

### *Openness*

6. The appeal site is on sloping land and the existing stables step down to follow this decline. They have a footprint of 123sq.m., and a volume of 314cu.m. The proposed dwelling would have a floor level lower than the natural ground level and the submitted plans indicate a stepped patio would provide level access to the entrance. The building would have a footprint of 114sq.m. The appellant states that the volume would be 304cu.m. However, the Council do not consider that this includes the volume below the existing ground level and its calculations follow that there would be a volume of around 365sq.m.
7. The footprint of the proposed dwelling would be smaller than the existing stables. Whilst its length would be less, removing structures from some areas, its width would be greater and the proposed dwelling would extend into a part of the site which is currently free from built form. Although the roof would be marginally lower than the maximum height of the stable roofs, it would be higher than the majority of their length. The full bulk of the proposed dwelling would be readily apparent.
8. The land is currently used as a stables and residential garden, where domestic garden paraphernalia is to be expected. However, with the multiplication of the number of dwellings on the site, the extent of domestic paraphernalia would also double. It may be possible to prevent structures such as outbuildings by condition, however I am not provided with evidence that satisfies me that it would be reasonable to extend this control over play equipment or furniture. Therefore, although its extent would be minor there would nevertheless be an effect on openness in this regard.
9. The existing boundary treatment and land levels would provide some screening particularly when trees are in leaf, nevertheless the dwelling and its garden would be visible from the adjoining access road, albeit in glimpsed views. Nonetheless, the proposed dwelling would be visible from the host dwelling and neighbouring property.
10. Consequently, taking all the above into account, the proposed development would have a greater impact on the openness of the Green Belt than the existing development. As such, for the reasons described above, the appeal scheme is inappropriate development in the Green Belt both in the terms of the Framework and Policies DP10 and DP13 of the LPP2, the aims of which are set out above.

### *Character and Appearance*

11. This part of Little Common Lane is characterised by sporadic residential development, of varied sizes and designs, within a wider open setting. Properties are mainly set within generous, although not uniform, plot sizes, albeit there is a row of terraced properties opposite the site which are smaller. Nevertheless, overall, the generous plots and spacious setting of buildings results in a pleasant open character to the area.
12. The appeal scheme would retain the existing dwelling along Little Common Lane, and subdivide the existing plot to create a second dwelling and garden served by the same access. This would result in two dwellings in close proximity to one another in smaller plots. The proposed development would appear over intensive in this context and would therefore harmfully erode the open and spacious character of this area.
13. Therefore, the proposed development would be harmful to the character and appearance of the area. As such it would be contrary to Policies CSP18 of the Tandridge District Core Strategy (2008) (CS) and policy DP7 of the LPP2. Together these policies set criteria including requiring design that respects the character, appearance, setting, prevailing built form and local context to achieve a high standard of design
14. Policy DP8 of the LPP2 relates to residential garden land development in specific settlements, as such the policies set out above are more relevant to this main issue.

### *Living Conditions*

15. The detailed calculations in the submitted internal daylight report demonstrate the Average Daylight Factor (ADF) that would be achieved in the proposed rooms. Other than the line of trees along the eastern boundary, these windows face onto an open aspect.
16. The ADF results are based on a clear sky and do not consider the effect of existing trees. However, the submitted plans identify that the majority of these trees are deciduous. As such, most of the trees will not be in leaf in winter when daylight is at its scarcest and most valuable. Consequently, I am satisfied that the proposed dwellings would receive an acceptable level of light.
17. Therefore the proposed development would result in acceptable living conditions for future occupiers. Consequently, in this regard, it would be in accordance with policy DP7 of the LPP2 which requires that a satisfactory environment is provided for the occupiers of new development, amongst other things.

### *Other Considerations*

18. The proposed development would result in the social and economic benefits associated with the creation of a single new dwelling in an area where there is an identified need for new housing. Nevertheless, given the scale of the proposed development, these benefits would be modest. It is put to me that the appeal scheme would provide a larger family home for the occupiers. However this benefit would be mainly private and therefore I afford this minimal weight.

### **Green Belt Balance**

19. The Government attaches great importance to Green Belts. Paragraph 153 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 development's harm to openness and also therefore its inappropriateness. Along with the harm I have identified to character and appearance. These issues are not outweighed by the other considerations. Therefore, the other considerations in this case, even when considered together, do not clearly outweigh the harm that I have identified.
20. The very special circumstances necessary to justify the development therefore do not exist. As such, the development conflicts with Paragraph 153 of the Framework and Policies DP10 and DP13 of the LPP2, the aims of which are set out above.

### **Planning Balance**

21. The Council cannot demonstrate a 5 year supply of deliverable housing sites, therefore paragraph 11(d) of the Framework is engaged. However, as set out above, the application of policies relating to the Green Belt provides a clear reason for refusing the development proposed, as set out in footnote 7. Consequently, the presumption in favour of sustainable development does not apply in this case.

### **Conclusion**

22. The proposal would not accord with the development plan and there are no other considerations, including the provisions of the Framework, to indicate that the appeal should be determined otherwise. Therefore, for the reasons given above, I conclude that this appeal should be dismissed.

*H Miles*

INSPECTOR