



Appeal Decision

Site visit made on 14 April 2025

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

an Inspector appointed by the Secretary of State

Decision date: 29th April 2025

Appeal Ref: APP/C3620/W/24/3358089

Barn North of Wonham Lane, Wonham Lane, Betchworth, Surrey RH3 7AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Adrian Pearce against the decision of Mole Valley District Council.
 - The application Ref is MO/2024/0859/PLA.
 - The development proposed is conversion and change of use of barn to one dwelling house (Class C3).
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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 2024 (the Framework) and any relevant development plan policies.
 - The effect of the proposal on the openness of the Green Belt.
 - The effect of the proposed development on the character and appearance of the area.
 - Whether the site would be a suitable location for housing with particular regard to accessibility.
 - The effect of the proposed development on biodiversity.
 - The quality of the living conditions for future occupiers with particular regard to bin storage.
 - 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. Development in the Green Belt is 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 the Framework.

4. Of relevance to this appeal, paragraph 154h iv) of the Framework provides for the re-use of buildings provided that the buildings are of permanent and substantial construction and they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. This is broadly echoed by Policy EN1 of the Mole Valley Local Plan (2024) (LP).
5. There is no dispute between the parties that the buildings are of permanent and substantial construction. Therefore, I will go on to consider the effects on openness.

Openness

6. Openness has both spatial and visual dimensions. The lawful use of the building is for equestrian/agricultural use and the existing barn and surrounding fields are characteristic of this typical countryside use. The barn is reached via a rough track running from Wonham Lane which leads to the gated access to the field.
7. The appeal scheme proposes domestic use across the whole site including new windows with large, glazed sliding doors to the south elevation, residential gardens, the introduction of post and rail fencing as boundary treatment, and domestic car parking. As well as an extended driveway connecting the building to the existing track and Wonham Lane. This would be constructed with a ground reinforcement system which would be infilled with grass.
8. Due to the site's topography the barn is not easily seen from the road, however it is likely to be seen from the nearby residential properties as well as the public bridleway to the west, particularly when trees are not in leaf.
9. Notwithstanding that the type of boundary fencing would be characteristic of a rural location, the proposed development would result in an evidently residential use to the appeal site including the domestic paraphernalia outlined above. Whilst the removal of permitted development rights could prevent the construction of buildings such as sheds, this would not prevent domestic items like garden furniture, play equipment or clothes drying which are reasonably associated with a one bedroom property. The materials proposed for the driveway would result in a mainly green appearance, and this would not be easily seen in public views. Nevertheless, it would introduce regular residential vehicle use in this location which would be perceived. In combination these factors would result in harm to the openness of the Green Belt.
10. Therefore, for the reasons above, the proposed development would not preserve the openness of the Green Belt and would be contrary to the Framework in this regard. As such, it would not come under the exception in paragraph 154h iv) and consequently would be inappropriate development in terms of the Framework and Policy EN1 of the LP.

Character and Appearance

11. The barn's surroundings are characterised by open fields and woodland with scattered houses nearby resulting in a rural appearance, and the land slopes down from the barn to Wonham Lane. As set out above, the appeal site is characteristic

of this countryside location. Therefore, the rural characteristics and appearance of the appeal site make a positive contribution to the surrounding countryside land.

12. The Mole Valley Local Plan Landscape SPD (2013) identifies the appeal site as being in the Holmesdale Landscape Character Area (LCA) in the Wealden Greensand Valley. The undulating landscape with far reaching views and small to medium scale field patterns in this area are characteristic of this LCA.
13. The proposed development would introduce a residential property, access drive, domestic gardens and paraphernalia and associated activity to this site as set out above, although there would not be an extension to the building. Nevertheless, this would result in a clearly domestic appearance across the whole site. Additional windows including large glazed double doors are also proposed and the residential property would be lit at night, with light emitting from windows. Overall, the urbanising nature of the development proposed would harmfully undermine the rural characteristics of this location. It follows that I do not find that the proposed development would enhance its immediate setting and as such, it would not gain support from paragraph 84c of the Framework.
14. Therefore, the proposed development would have a harmful effect on the character and appearance of the area. Consequently, it would be contrary to Policy EN4 and EN8 of the LP which require high quality design, and development which conserves and enhances local landscape character.

Accessibility

15. Policy INF1 of the LP requires, in part, that development should be located to maximise the use of sustainable modes of transport. The Framework also requires that development should prioritise sustainable transport modes. This applies to all development proposals, including those within the Green Belt.
16. Wonham Lane is a narrow rural road with no pavements or street lighting. For these reasons, it would not provide a safe and suitable route for pedestrians. Whilst it may be possible to cycle to nearby settlements, these features mean that it would not be an attractive cycling route for most people. Nor am I presented with any detail that public transport would offer a realistic alternative to private car use in this location. Consequently, occupiers of the proposed development would have to travel by private vehicle to meet their day to day needs.
17. Surrey County Council Highways have not objected to this development and there is no dispute with regard to the effect on highway safety or the impact on the road network. Nevertheless, the majority of the journeys to and from this site would be by private vehicle and so the proposed development is not in a sustainable location.
18. As such, the site would not be a suitable location for housing with particular regard to accessibility. In this regard it would be contrary to policy INF1 of the LP, the aims of which are set out above.

Biodiversity

19. Policy EN9 of the LP supports development which conserves and enhances biodiversity and requires that a biodiversity gain plan demonstrating biodiversity net gain (BNG) of at least 20% must be approved before development commences. There is also a national requirement to provide BNG, albeit certain

planning permissions including where there are impacts to less than 25sqm of onsite habitat, and for self build and custom build development are exempt.

20. In their appeal submissions the appellant states that this property would be self build housing. However, no mechanism has been submitted that would ensure that the proposed house is constructed and occupied in this manner. As such, based on the submissions in this case, the appeal scheme would not ensure that this property would be self build and this exemption would not apply in these circumstances.
21. The construction of the driveway would cover an area greater than 25sqm. It would use a ground reinforcement system which would allow grass to grow through. Nevertheless, considering the effects of regular vehicle access, I do not have substantive evidence that this would not result in an impact to the habitat in this area. Therefore, the development would not be subject to the de minimis exemption.
22. The submitted small sites metric does not show the calculations. Furthermore, it shows enhancements to the condition to two areas of grassland within the residential garden. However I am not provided with a BNG proposal or any mechanism to demonstrate how this would be reasonably secured and maintained as part of a private garden area. As such, the evidence submitted does not satisfy me that the BNG specified in the metric would be achieved in these circumstances. Consequently, on the basis of the detail before me, the proposed development would not conserve and enhance biodiversity on this site and BNG would not be achieved.
23. Therefore, the proposed development would have an unacceptable effect on biodiversity. As such, it would be contrary to Policy EN9 of the LP, the aims of which are set out above.

Living conditions

24. A bin collection point is proposed to the South East of the proposed dwelling, adjacent to Wonham Lane. Waste services have not objected to this collection point. However, on collection day, bins would need to be taken 143m across a sloping grassed field with no lighting. This route is impractical and potentially unsafe for future occupiers. As such, it would be unacceptable to the living conditions of occupiers of the proposed development.
25. The Framework requires that developments should provide a high standard of amenity for future occupiers. In addition, policy EN4 of the LP provides criteria for high quality design, including that development should ensure the amenity of future occupiers is not significantly affected by poorly located and designed refuse storage, amongst other things. Whilst the development plan does not provide a set distance that bins can be carried, for the specific reasons set out above the proposed refuse storage would result in poor quality living conditions for future occupiers.
26. Therefore, the proposed development would result in an unacceptable quality of living conditions for future occupiers with particular regard to bin storage. Consequently, it would be contrary to Policy EN4 of the LP, the aims of which are set out above.

Other Matters

27. During the appeal process the LP has been adopted and I am satisfied that the Council has a five-year supply of deliverable housing sites. Furthermore, the 2023 housing delivery test results published by the government indicate that the delivery of housing was not substantially below the housing requirement over the previous three years. As such, there is not a demonstrable unmet need for the type of development proposed in the terms of paragraph 155b of the Framework. Consequently, the proposed development would not meet the exception to inappropriate development relating to grey belt land. Furthermore, paragraph 11d) of the Framework is not engaged.
28. Wonham Manor is a Grade II listed building located on the opposite side of Wonham Lane. Its significance derives from its historic appearance and detailing, both external and interior. The appeal site is clearly separated from this building by some distance across fields, the road and other buildings. As such, I agree with the Council that the proposed development would not result in harm to the settings of the listed building. Therefore, its setting would be preserved which would be a neutral effect.
29. Policy H8 of the LP supports proposals for self-build housing subject to detailed considerations. However, for the reasons above the proposed dwelling would not be secured as a self build home.
30. The proposed development would provide a single new dwelling on a windfall site and this would make a positive but small contribution to housing supply in the borough. Therefore, overall, there would be modest benefits as a result of the proposed development.

Green Belt Balance

31. I have concluded that the proposal would be inappropriate development in the Green Belt which is, by definition, harmful. There is also harm to the Green Belt due to the effect on openness. Additionally, I have found harm with regard to character and appearance, biodiversity and the accessibility of the location. Substantial weight should be given to the harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations.
32. On the other hand, the proposed development would provide the modest benefits identified above. Consequently, the considerations advanced by the appellant, even when considered together, do not clearly outweigh the totality of the Green Belt harm. The very special circumstances necessary to justify the development therefore do not exist.

Conclusion

33. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above the appeal should be dismissed.

H Miles

INSPECTOR