



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: 2nd May 2025

Appeal Ref: APP/C3620/W/25/3358854

Land adjacent to 5, Spital Heath, Dorking, Surrey, RH4 1QD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr R Orford of RPM Builds Ltd against the decision of Mole Valley District Council.
 - The application Ref is MO/2024/1242/PIP.
 - The development proposed is permission in principle for the erection of a dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent' TDC) stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent TDC application if permission in principle is granted. I have determined the appeal accordingly.
4. Whilst details including a proposed site layout and streetscene are submitted with the appeal, such information is indicative only. The appeal seeks permission in principle for one dwelling. The appeal is considered on this basis.

Main Issue

5. The main issue is whether the site is suitable for residential development, having regard to the amount of development.

Reasons

6. This part of Spital Heath is characterised by pairs of semi detached dwellings and a detached house which have a generous set back from the road. Nos 1-5 are set around an area of open space which provides access to the houses. They are aligned around the turning head on this spur of the cul-de-sac and their layout results in a consistent frontage building line. The houses are generally in large plots with generous separation between the buildings and their boundaries and

clear gaps between the buildings, particularly at first floor level and above. There is a marked incline from north to south and the dwellings sit at a higher level than the road and are prominent in public views. Properties in nearby Overdale also follow an incline with dwellings at different levels, albeit these do not form part of the streetscene of the appeal site. The separation between buildings and their boundaries and the regular building line result in a pleasant sense of spaciousness and consistency.

7. The appeal site has a road frontage close to the turning head shared with nos 1-5. It is open undeveloped land and is currently used for informal parking. It slopes upwards from the road to a level similar to no 5.
8. The indicative drawings show a single storey building with a short rear garden. Car parking and garden areas are shown to the front with the front elevation stepped forward of the building line. This illustrative layout would retain similar spacing to the adjacent buildings at ground floor level, although it would be closer to the site boundaries, particularly to the rear, even though additionally it would sit forward of part of the front elevation of no.5.
9. These drawings are indicative and other layouts and positioning may be possible including excavation of ground levels. However, the evidence submitted does not satisfy me that it would be possible for a single dwelling to be located on this plot which would maintain the spacious nature of the dwellings within the streetscene and within their plots
10. My attention is drawn to an appeal decision for Land South of 1 North Town (APP/W1145/W/21/3269210). The Inspector's decision was that based on the evidence in that case there was not sufficient detail to conclude that the site would be insufficiently scaled to accommodate one dwelling. In contrast, it can be seen from the reasoning above the based on the submissions and the site specific circumstances in this case, the evidence shows that, in principle, this site could not accommodate a single dwelling. As such, notwithstanding that detailed matters would be considered at the TDC, the circumstances of the North Town appeal are different. I am also provided with a decision at 13 Roffes Lane (APP/M3645/W/24/3350538) where the effect on character and appearance was considered. The development proposed in this case is a dwelling on a backland garden plot and, this is clearly different to the development before me now. Therefore, these do not alter my findings.
11. Matters relating to the proposed residential land use and location are not in dispute between the main parties. Nevertheless, the principle of one dwelling on the appeal site would harmfully erode the sense of spaciousness in this area in a highly prominent position. The amount of development proposed would therefore result in clear harm to the character and appearance of this area.
12. Planning permission was refused and an appeal dismissed for a dwelling on this plot in 2009 (APP/C3620/A/09/2104940). However, this sought full planning permission for a two storey dwelling and as such it is notably different to the appeal scheme.
13. Consequently, the site is not suitable for residential development, having regard to the amount of development. Therefore, it would be contrary to policy S1 of the Mole Valley Local Plan (2024) (LP). This requires high quality design that makes a positive contribution to local character.

14. Policy H1 mainly relates to housing delivery and as such the policies set out above are more relevant to the main issue in this case.

Planning Balance

15. During the appeal process the LP has been adopted and the Council states that it has an up-to-date five-year supply of deliverable housing sites for decision-making purposes. Furthermore, the 2023 housing delivery test results indicate that the delivery of housing was not substantially below the housing requirement over the previous three years. Therefore, the presumption in favour of sustainable development contained within paragraph 11 d) would not be engaged.
16. Nonetheless, the proposed development would provide a new dwelling on a windfall site in an accessible location in an urban area. This would make a positive, but small, contribution to the supply of housing in this area. Having regard to the scale of the development, the benefits in this regard would be modest. Consequently, the modest benefits would not outweigh the clear harm to character and appearance identified above.

Conclusion

17. For the reasons set out above, I conclude that the appeal should be dismissed.

H Miles

INSPECTOR