



Appeal Decision

Site visit made on 25 June 2025

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 July 2025

Appeal Ref: APP/C3620/W/25/3360287

Land at Petersfield Farm, Henfold Lane, Dorking RH5 4RP

- 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 L Price against the decision of Mole Valley District Council.
 - The application Ref is MO/2024/1111/PLA.
 - The development proposed is the erection of two-storey detached dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A reason for refusal on the Council's decision notice relates to whether the site is a suitable location for the development. Having regard to paragraph 155 of the National Planning Policy Framework (the Framework), I have considered this matter as part of the green belt considerations, below.
3. A new Local Plan was adopted on 15 October 2024, after the Council's decision was made, and this supersedes the previous plan. The Council has outlined to me which policies of the new plan are the most relevant. I refer to these below.

Main Issues

4. The main issues are:
 - whether the proposed development would be inappropriate development in the Green Belt, having regard to the Framework and any relevant development plan policies;
 - the effect of the proposed development on the character and appearance of the surrounding area;
 - the effect on highway safety; and
 - 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 development.

Reasons

Whether inappropriate development, including whether the site is a suitable location

5. The Framework states that inappropriate development is, by definition, harmful to the Green Belt. Policy EN1 of the Mole Valley Local Plan (2020-2039, LP) broadly

conforms to the general thrust of national Green Belt policy, setting out that land which is designated as Green Belt will be protected against inappropriate development, as defined by national policy. The Framework, however, sets out certain exceptions. One of those, at paragraph 155, relates to grey belt land.

6. Paragraph 155 sets out that the development of homes in the Green Belt should not be regarded as inappropriate where a) it would utilise grey belt land and would not fundamentally undermine the purposes of the remaining Green Belt; b) there is a demonstrable unmet need for the type of development proposed; c) the development would be in a sustainable location; and d) where applicable, the development meets the 'Golden Rules' requirements set out in Framework paragraphs 156-157. I consider these in turn, below.

Utilising grey belt land (a)

7. The Framework defines 'grey belt' as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. Grey belt excludes land where the application of the policies relating to the areas or assets in footnote 7 would provide a strong reason for refusing or restricting the development. Based on the evidence submitted and my observations on site, I am of the view that the appeal site could reasonably be described as grey belt land. There is no dispute between the main parties in this regard.
8. The appeal site is positioned in the open countryside, outside of any settlement boundaries. It has an undoubtably rural character, enclosed by established landscaping. The location could not reasonably be described as, or near, a large built-up area. The rural location, a reasonable distance from any nearby settlements, is such that the proposed development would not result in the merging of neighbouring towns. Nor, in my view, does the site form part of the setting of an historic town. From that perspective, the proposed development would not fundamentally undermine the purposes of the remaining Green Belt.
9. There is no evidence before me that would lead me to conclude that the site should be excluded from the definition of grey belt because of the application of footnote 7. The site does not strongly contribute to the purposes of (a), (b) or (d) of paragraph 143 and the proposed development would not fundamentally undermine the purposes of the Green Belt across the area of the plan. The proposed development would meet the requirements of paragraph 155(a).

Demonstrable unmet need (b)

10. The Council, which has recently seen its local plan adopted, sets out that its latest Housing Delivery Test results are above the 75% threshold. In addition, it set out that it can demonstrate a housing land supply of 5 years. I have no substantive evidence to the contrary, or that would lead me to come to an alternative conclusion in this respect. Based on the evidence before me, the proposed development would conflict with the requirements of paragraph 155(b). Nevertheless, even were I to find a demonstrable unmet need in respect of housing supply, all criteria under paragraph 155 must be considered. I continue below.

Sustainable location (c)

11. The appeal site forms a parcel of land, near to but separate from other residential properties. In that context the site cannot reasonably be described as 'isolated' within the terms of the Framework. Nevertheless, the appeal site undisputedly falls outside of a settlement boundary and therefore within the open countryside.
12. The nearest settlement to the site is Beare Green, approximately 1.6 km away, with Dorking approximately 5km away. Beare Green contains some services such as a school and local shops.
13. To reach Beare Green by foot or cycle, individuals would need to proceed along rural, narrow and sometimes busy roads which do not have dedicated footways, cycle paths or wide verges. They are also unlit. These routes are unsatisfactory and would be particularly undesirable in winter months, outside daylight hours or during inclement weather conditions. There are public rights of way in the area, which could in part be used to reach services and facilities. However, these routes are not sufficient to rely on, particularly as they are unlit and of an uneven terrain. The nearest bus stops are identified within the submitted Appeal Statement, produced by GTA Civils & Transport Ltd (hereafter referred to as the 'Transport Appeal Assessment'), as being located on Old Horsham Road, 1.6km away from the site. These would be accessed along those same unsatisfactory routes.
14. The Framework acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural locations. I also accept that the distance between the proposed dwelling and Beare Green would be similar to that of dwellings within the surrounding area. However, in this location, the occupants of the proposed dwelling would be reliant on the use of private vehicles to access most services and facilities due to a lack of satisfactory cycling and walking routes and a lack of public transport facilities within a reasonable distance of the site.
15. Overall, the introduction of a further dwelling in this location would undoubtedly result in the use of private cars to access local services and facilities. It would form an inappropriate location for the proposed development in respect of sustainability, conflicting with the requirements of paragraph 155(c).

Golden Rules (d)

16. As the proposed development does not meet the definition of major development, (d) is not applicable in this instance.

Conclusion

17. Overall, I conclude that the proposed development would conflict with paragraphs 154 and 155 of the Framework and would fail to satisfy an exception. The proposed development would therefore be inappropriate development in the Green Belt. It would be contrary to the relevant provisions of LP policies H1 and EN1, which in summary relate to housing delivery and the protection of the Green Belt. The proposed development would also be contrary to the requirements of LP policies S1 and INF1, insofar as they seek to ensure that new development is sustainably located. This is in a similar vein to the provisions of policy CA-GA1 of the Parish of Capel Neighbourhood Development Plan insofar as the location of development is concerned.

Character and appearance

18. The appeal site forms a grassed parcel of land adjacent to, but setback from, Henfold Lane. It is separated from adjoining agricultural land by boundary fencing and mature landscaping.
19. Despite some occasional buildings, the area surrounding the site is rural in character, principally formed of open fields and mature landscaping. I accept that the site is fairly self-contained and is positioned relatively close to Petersfield Farm and Mulberry House. Nevertheless, this does not give the site a domestic character. Instead, these open and verdant characteristics contribute strongly to the surrounding rural character.
20. The proposed development, irrespective of its detailed design, would be relatively large, and would be visible from Henfold Lane, through gaps in established landscaping and from the site entrance. It would introduce a domestic building in this countryside location. The presence of development here would have a negative impact on the open site, harmfully eroding the contribution the site makes to the open and rural nature of the surrounding area.
21. Even if soft landscaping were to be enhanced across the site and some areas left over for garden space, its currently open character and appearance would be lost to development, including the inevitable hard surfacing and paraphernalia typical of a domestic property.
22. Overall, I conclude that the proposed development would harm the character and appearance of the surrounding area, contrary to the relevant provisions of LP Policies EN4 and EN8, which, in summary and when taken as a whole, seek to achieve high quality development which protects landscape character.

Highway safety

23. The proposed development would be served by an existing, upgraded vehicular access from Henfold Lane. During my site visit, I observed relatively restricted visibility of the site entrance on approach to the site, and in respect of oncoming traffic from its entrance. This was primarily due to the curvature of the road and the existence of mature landscaping along it.
24. The Council sets out that the proposed development could not achieve the required visibility splays at the site entrance. This is a matter disputed by the appellant, supported by an Appeal Transport Statement. The Appeal Transport Statement and submitted plans relating to the proposed vehicular access indicate the required cutting back of vegetation and crown lifting of trees. However, a number of areas where this is indicated as required, do not form part of the application site and would appear to lie outside of the appellant's control. Moreover, there is a lack of clarity in respect of the extent of, and responsibility for, the works required. Therefore, I have some doubt as to whether the required visibility splays could realistically be implemented, noting the suggestion of a condition by the appellant.
25. I acknowledge the appellant's argument that there is an existing access and that this could, technically, be used at present or in future for vehicle movements without adjustment. However, the existing access does not form the principal access to Petersfield Farm and does not lead to a parking area or dwelling.

Rather, it provides access to what is effectively an open field. The use of the access at present is not comparable with that of a separate dwelling, as proposed, taking into account its future occupiers, visitors and deliveries.

26. Based on the evidence before me, the proposed development would harm highway safety, contrary to the relevant provisions of LP Policy INF1, which in summary, amongst other things, seeks to ensure that development makes adequate provision of vehicular access.

Other considerations

27. I acknowledge that the proposed development would meet some planning policy objectives, including in respect of residential amenity and biodiversity. Nevertheless, these matters are not in dispute. Moreover, the lack of harm is effectively neutral in my assessment of the appeal. I give these considerations minimal weight.
28. I also acknowledge that there would be some social and economic benefits to the proposed development, including the provision of construction jobs and increased trade to local businesses and services once the dwelling was occupied. However, these benefits would inevitably be limited by reason of the scale and nature of the proposed development. I therefore afford this consideration limited weight.
29. I note the reference to the dwelling being self/custom built. However, there is no mechanism before me to secure this. I give this consideration limited weight.
30. The proposed development would generate one additional home in the district. This would make a positive albeit very limited contribution to housing supply in the district. Nevertheless, mindful of the Government's objective of significantly boosting the supply of homes, I give this consideration moderate weight.

Other Matters

31. The appeal site is located within the wider surroundings of Grade II listed building, Petersfield Farm House. Mindful of the statutory duty set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have had special regard to the desirability of preserving its setting. The verdant surroundings of the building, of which the appeal site forms part, positively contribute to its significance. Nevertheless, given the location and extent of the proposed development, I consider that it would preserve the setting of this listed building and the contribution it makes to its significance. I note the Council had no concerns in this regard either.

Green Belt Balance

32. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In addition, there are adverse impacts on character and appearance, sustainability and highway safety here. 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.
33. Cumulatively, I attach no more than moderate weight to the benefits of the proposed development which make up the other considerations. As such, the

other considerations do not clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the proposed development do not exist. The proposed development would not therefore accord with the Green Belt protection aims of the Framework.

34. Even were I to accept the appellant's argument that there is a lack of a five-year housing supply and that the policies which are most important for determining the proposal are deemed out-of-date, bullet (i) of Framework paragraph 11.d clarifies that permission should not be granted if the application of policies in the Framework that protect areas or assets of particular importance, including Green Belt, provide a clear reason for refusing the development. As I have explained, there would be harm to the Green Belt that would not be clearly outweighed. Therefore, the proposed development would not benefit from the presumption in favour of sustainable development in this instance.

Conclusion

35. For the above reasons, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal should be dismissed.

A Price

INSPECTOR