



Appeal Decision

Site visit made on 17 July 2025

by **Stewart Glassar BSc (Hons), MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 August 2025

Appeal Ref: APP/M3645/W/25/3360870

Marhaba, Antlands Lane, Shipley Bridge, Surrey RH6 9TE

- 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 Mark Johnson against the decision of Tandridge District Council.
 - The application Ref is TA/2024/648.
 - The development proposed is the demolition of existing building and erection of new 2-bed dwelling and outbuilding.
-

Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing building and erection of new 2-bed dwelling and outbuilding at Marhaba, Antlands Lane, Shipley Bridge, Surrey RH6 9TE in accordance with the terms of the application, Ref TA/2024/648, subject to the conditions in the attached schedule.

Preliminary Matters

2. The Council confirmed that due to an administrative mapping error, the site does not fall within the Ashdown Forest Special Protection Area. Consequently, the Council does not seek to defend this reason for refusal. As it is a factual issue, it is not a matter on which I need to make a determination or comment further.
3. I have taken the description of development from the application forms, omitting the reference to a previous permission as this is superfluous and not the act of development being sought.

Main Issues

4. The main issues are:
 - a) whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; and
 - b) the effect of the proposal on the character and appearance of the area.

Reasons

Whether Inappropriate Development

5. The Council considered the proposal under Paragraph 154 of the Framework but not Paragraph 155. This paragraph confirms that non-major development of homes in the Green Belt should not be regarded as inappropriate development provided that they would: a) utilise green belt land and would not fundamentally

undermine the purposes (taken together) of the remaining Green Belt across the area of the plan; b) there is a demonstrable unmet need for the type of development proposed; and c) the development would be in a sustainable location, with particular reference to Paragraphs 110 and 115 of the Framework.

6. The appeal site comprises part of a residential garden and includes an existing building. The site is not within a built up area and so the land can be considered as being previously developed. It is away from any built-up areas or historic towns, so would not contribute to the sprawl of large built up areas or merger of towns or affect their setting or character. Furthermore, the proposal would not encroach into the countryside and the recycling of derelict or other urban land is unlikely to be discouraged. Accordingly, the proposal meets criterion a) of Paragraph 155.
7. The Council confirmed in its officer report that there is not a 5 year supply of deliverable housing land in the area and I have no more recent evidence to contradict that situation. Criterion b) of Paragraph 155 is therefore met.
8. The appeal site is in a rural location and is not within a recognised settlement. However, paragraphs 110 and 115 of the Framework state, amongst other considerations, that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and that it should be ensured sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location.
9. The appeal proposal is for one house, on a plot to the rear of two existing houses. Several other houses are visible from the site/host dwelling. While my site visit only represents a snapshot in time, I saw a steady flow of vehicles along the road during that time. The proposal is not for a large house but would still add to the volume of private vehicles using the roads. The increase from a single dwelling would be limited in proportion to the existing traffic on the road.
10. In addition, Copthorne is approximately 1.5km to the south, on a route that a reasonably competent cyclist could navigate. Although I have no details of the available services, I saw that there were bus stops along Antlands Lane.
11. I am mindful that there are some paved footpaths in the vicinity of the site although there was no street lighting along this part of Antlands Lane, which is likely to discourage walking. However, the appeal site lies within a loose group of existing houses and is not in any less of a sustainable location than them. On balance, therefore, the appeal site is a sustainable location for the erection of one dwelling and criterion c) of Paragraph 155 is met.
12. In view of the above, I find that the proposal would not be inappropriate development in the Green Belt. Therefore, it would accord with the approach to development in the Green Belt as set out in the Framework and CSP18 and CSP21 of the Tandridge District Core Strategy 2008 (Core Strategy) and Policies DP7, DP10 and DP13 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014 (Local Plan) which, amongst other things seek to safeguard environments and in particular the Green Belt from inappropriate development.

Character and Appearance

13. The existing site contains a wooden outbuilding which serves Marhaba. The proposal includes a modest extension to the building, its use as a separate

dwelling and a new outbuilding which would house a swimming pool and associated plant and shower rooms.

14. Planning permission was granted in 2024 on the site for the 'subdivision of curtilage and conversion of and extension of building into 2-bed dwelling with provision of vehicular access to Shipley Bridge Lane, and erection of outbuilding'.
15. The Council has provided me with copies of the approved drawings. They are identical to the appeal scheme before me. The 2024 permission is a realistic fall back option and allowing the current appeal would have the same effect on the character and appearance of the area as that scheme. Accordingly, I find no harm would arise to the character and appearance of the area in allowing the appeal.
16. The proposal would therefore accord with Policies CSP 8 and CSP21 of the Core Strategy and Policy DP7 of the Local Plan which, amongst other things, seek to ensure development respects the local character and landscape.

Conditions

17. Both main parties were given an opportunity to comment on the proposed conditions and the applicant's written agreement to the pre-commencement condition was obtained.
18. In addition to the standard time limit, a condition listing the approved plans is necessary in the interests of certainty.
19. A condition requiring the submission of a Construction Environmental Management Plan is necessary, in order to ensure biodiversity is protected during the construction process. Compliance with the Walkover Survey Technical Note is also required in order to ensure biodiversity is enhanced.
20. Conditions securing a suitable landscaping scheme are appropriate in order to ensure that the verdant character of the surroundings are preserved and enhanced. To ensure the development functions as intended details are required of the access, parking/turning areas, drainage and carbon reduction techniques.
21. Having regard to the location of the site it is reasonable and necessary for certain permitted development rights to be removed.

Conclusion

22. The proposal would not be inappropriate development in the Green Belt. As it would not conflict with the policies in the Framework that protect the Green Belt, it has not been necessary to take into account other considerations nor for very special circumstances to exist. Furthermore, the proposal would not cause harm to the character and appearance of the area.
23. Therefore, having considered the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions in the schedule below.

Stewart Glassar

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing numbers:

Location Plan	- 2310MA_R0_000
Proposed Block Plan	- 2310MA_R0_002
Proposed Plan & Elevations	- 2310MA_R0_201
Proposed Plan & Elevations	- 2310MA_R0_202
- 3) No development shall take place (including demolition, ground works and vegetation clearance) until a detailed construction environmental management plan has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) No development above ground level shall take place until a scheme of hard and soft landscaping has been submitted to and approved in writing by the local planning authority. The scheme shall include details of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.
- 5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 6) No development above ground floor level shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 7) The development hereby permitted shall not be occupied until the means of access onto Shipley Bridge Lane has been constructed in accordance with the approved plans. The access shall be retained thereafter and the visibility splays shall be kept permanently free of all obstructions to visibility over 0.6m in height above carriageway level.
- 8) The development hereby permitted shall not be occupied until the vehicle parking and turning spaces have been provided in accordance with approved plan. Thereafter those spaces shall be retained for the parking of vehicles only.
- 9) The development hereby permitted shall not be occupied until details demonstrating how the development provides a 10% reduction of carbon emissions through renewable resources. The details shall be submitted to and approved in writing by the Local Planning Authority. The renewable energy provision shall thereafter be implemented and retained in accordance with the approved details.

- 10) The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out in Walkover Survey Technical Note, Sylvatica Ecology Ltd (dated 15th January 2024).
- 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development permitted by virtue of Classes A, AA, B or C of Part 1 of Schedule 2 to the Order shall be undertaken.

***** END *****