



Appeal Decision

Site visit made on 23 October 2025

by L Gardner MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2025

Appeal Ref: APP/M3645/W/25/3370123

Land at Rowlands Farm, Newchapel Road, Lingfield, Surrey RH7 6BJ

- 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 Ricky Gache against the decision of Tandridge District Council.
 - The application Ref is 2025/312.
 - The development proposed is erection of 9 dwellings following demolition of existing stables and removal of sand school.
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Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising 9 dwellings at Land at Rowlands Farm, Newchapel Road, Lingfield, Surrey RH7 6BJ in accordance with the terms of the application, Ref 2025/312, dated 18 March 2025.

Applications for Costs

2. An application for costs was made by Mr Ricky Gache against Tandridge District Council. This is the subject of a separate decision.

Preliminary Matters

3. 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 two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
4. 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 technical details consent application if permission in principle is granted. I have determined the appeal accordingly.
5. An applicant can apply for permission in principle for a range of dwellings by expressing a minimum and maximum number of dwellings as part of the application. In this instance, permission has specifically been sought for nine dwellings. A plan has been submitted showing how nine dwellings could be accommodated on the site, but I have considered this to be solely for illustrative purposes because the application only relates to the principle of the proposed development.

6. The address above has been taken from the application form. I note representations stating that the site is not connected to Rowlands Farm. I observed during my site visit the location of the site in relation to Rowlands Farm. Nevertheless, the site is identifiable through the site location plan which clearly sets out the land to which it relates. I have proceeded with the appeal on this basis.

Main Issue

7. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development.

Reasons

8. Policy DP5 of the Tandridge Local Plan (TLP) Part 2 (2014) relates to highway safety and design setting out a number of requirements for proposals to meet. These include in relation to providing safe and suitable access to the site, which promotes access by public transport, foot and bicycle to nearby facilities.
9. The appeal site comprises an existing sand school and associated buildings to the east of Newchapel Road. The nearest settlement with various facilities and services necessary for day-to-day living is Lingfield, to the north-east. The appeal site is outside of the settlement, accessed via Newchapel Road, which at the point of the appeal site has a speed limit of 40mph. Whilst there is a footpath connecting the appeal site to Lingfield, it is inconsistent and at some points narrow in its width, and not lit by street lamps.
10. The combination of these factors, including the speed of adjacent vehicular traffic, is likely to mean that the use of the footway for walking and cycling into Lingfield would not always be the most attractive option, particularly for future occupiers who rely on mobility scooters or have pushchairs. The appellant has suggested that the footway could be widened at technical details consent stage, however, I have little before me by means of a mechanism to secure this, or evidence to suggest that it is a plausible option. On this basis, relating to the location of the appeal site, there would be some conflict with Policy DP5 of the TLP.
11. The appellant has presented a sustainability table comparing the appeal site with two other sites in the District, one which was granted planning permission in June 2025 (Nyahlands Farm) for nine dwellings and the other for 29 dwellings allowed at appeal (Perrysfield Farm) in May 2025¹. I do not have the full context of either of these sites to fully understand their relationships with the corresponding nearest settlements. In any case, the document serves to demonstrate that sustainability can be based on the assessment of various factors. Neither of the sites referred to are directly comparable to the appeal site in all respects, and therefore I have given this table limited weight in my decision.
12. Of greater relevance, is an appeal decision which relates to the appeal site for the development of log cabins for holiday let purposes. Although the Inspector for that decision² dismissed the appeal, they did reach a finding on the appeal site's distance and accessibility to services and facilities by a range of transport modes. Despite the age of this decision, May 2019, it forms a material consideration in my assessment.

¹ APP/M3645/W/24/3352066

² APP/M3645/W/18/3216522

13. In the previous appeal for the site, the Inspector found that the development did not conflict with the TLP, making specific reference to Policy DP1 of the TLP Part 2 which relates to sustainable development. Based on the evidence before me it appears that some site circumstances may have changed. Specifically, the Inspector in the previous decision refers to a bus stop being 0.5km away. The evidence now before me suggests that the nearest bus stop is 1.25km away and I have little to confirm the frequency or destination of the bus services.
14. Nevertheless, I see no reason to disagree with the previous Inspector that the distances from the appeal site to Lingfield would not be so great as to entirely exclude the option of walking. I therefore also conclude that, *“although the site’s location is likely to mean occupiers of the development rely on the private car for many of their journeys, the site is accessible by other means.”*
15. Based on the factors which appear to have changed in relation to bus provision, my overall findings are not identical to the previous Inspector who found no harm in relation to this matter with regard to the TLP. To the contrary, I have identified that despite the site being suitable for residential development in terms of its proposed land use and the amount of development, there would be some conflict with both Policies DP1 and DP5 of the TLP Part 2, in relation to the site being a suitable location for residential development.

Other Matters

16. Given the proximity of Rowlands Farm House and Barn, which are Grade II listed, I have had regard to the statutory duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which requires special regard to be given to the desirability of preserving listed buildings including in respect to their setting. Noting the intervening distance, I am satisfied that the development of the site for residential purposes would not harm the significance of the setting of the listed assets in principle.
17. The site is located in the Green Belt. There is no dispute between the main parties that the proposal would involve the redevelopment of previously developed land and would not result in substantial harm to openness. Therefore, it would not be inappropriate development in the Green Belt through paragraph 154 g) of the National Planning Policy Framework (the Framework).
18. Interested parties have raised several issues in addition to those discussed above. A number of these would be for consideration at the technical details consent stage, including the effect on the character and appearance of the area, matters of drainage, and the effect on the living conditions of neighbouring occupiers with respect to noise and privacy.
19. The Council has confirmed that the site is not subject to a specific ecological designation and therefore detailed impacts on trees, wildlife and ecology would also fall to be assessed at technical details consent stage. Despite local concerns, the Council has not resisted the application based on harmful effects to traffic congestion, flooding, loss of stables or pressure on local infrastructure. Based on the evidence before me I see no reason to take a different view on these matters in relation to the location, proposed land use and amount of development proposed.

20. Reference to unauthorised development nearby, or the use of the site for fly tipping does not have a direct bearing to the outcome of my decision. I also note that public meetings in recent years have objected to the prospect of further development on Newchapel Road but I do not have the full details of these schemes before me to understand if they are comparable to the appeal proposal.

Planning Balance

21. The proposed development would introduce nine additional dwellings in a location which cannot reasonably prioritise sustainable transport modes and pedestrian and cycle movements. As such, the proposal would not accord with the development plan when read as a whole.
22. The Council is currently unable to demonstrate a five-year supply of deliverable housing sites. The appellant's evidence, which includes various previous appeal decisions, suggests the most recent calculation as being 1.92 years. The Council has not disputed this figure. This is a notable shortfall which warrants the application of paragraph 11(d) of the Framework. This paragraph relates to the presumption in favour of sustainable development, stating that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
23. Whilst I appreciate the Council's aim to guide development to the most accessible locations, there is an acknowledgement within the Framework that opportunities to maximise sustainable transport solutions will vary from urban to rural areas. Even though occupiers are unlikely to always find walking and cycling as the most attractive option, they do still form viable options to access the nearest facilities to the appeal site. I have therefore given the conflict with the development plan in respect to these matters limited weight in my decision.
24. Nine additional dwellings would not greatly improve total supply but in the current circumstances, any additional provision would be valuable. The appeal proposal would bring forward housing at a small to medium scale, on previously developed land, both of which are recognised as being beneficial by the Framework. There are other associated social, environmental and economic benefits including support to an existing rural community and employment generated through construction. I have given the cumulation of these benefits moderate weight.
25. I note that the appellant is of the view that the additional housing should be given substantial weight, in line with previous appeal decisions, to which I do not have the full details before me. The appeal decisions referred to where the Inspectors attached significant or substantial weight to housing delivery³ were for 29 dwellings and 270 dwellings respectively and are therefore not directly comparable to the appeal scheme before me.
26. Nevertheless, the adverse effects of the proposal, namely in relation to the location of the appeal site with respect to its accessibility, are not considered to be so harmful as to significantly and demonstrably outweigh the benefits of the proposal outlined above, when assessed against the Framework taken as a whole. As a result, the presumption in favour of sustainable development should be applied and paragraph 11(d) indicates that permission should be granted. There are no other material considerations to override this finding.

³ APP/M3645/W/24/3352066 and APP/M3645/W/24/3355743

Conditions

27. The PPG indicates that it is not possible to impose conditions for a permission in principle. The default duration of permission in principle is 3 years where granted on direct application, with the technical details consent to be determined during this period. If it is not, then the permission in principle would lapse.

Conclusion

28. Whilst conflict with the development plan has been identified, the harm associated would not significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies in the Framework taken as a whole. I therefore conclude that the appeal should be allowed.

L Gardner

INSPECTOR