



Appeal Decision

Site visit made on 21 January 2026

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 JANUARY 2026

Appeal Ref: APP/M3645/W/25/3374430

Land North of Rede Place, Swissland Hill, Dormans Park, East Grinstead, Surrey RH19 2NH

- 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 H Fenner against the decision of Tandridge District Council.
 - The application Ref is TA/2025/807.
 - The development proposed is development of site to provide 1no. infill dwelling.
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Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising 1 dwelling at Land North of Rede Place, Swissland Hill, Dormans Park, East Grinstead, Surrey RH19 2NH in accordance with the terms of the application, Ref TA/2025/807, dated 4 July 2025.

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 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.
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 technical details consent application if permission in principle is granted. I have determined the appeal accordingly.
4. 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 one dwelling. A plan has been submitted showing how a dwelling 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.
5. I note that the description of development within the application form (and the banner header above) refers to the word '*infill*'. Nevertheless, the wording in my formal decision refers solely to the residential development of the site without reference to the specific wording in the description.

Main Issues

6. The main issues are whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development, with particular regard to:
 - whether the appeal site is grey belt and whether the proposal 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,
 - whether the site would be accessible to services and facilities.

Reasons

Whether inappropriate development

7. The appeal site is within the designated Green Belt where Policy DP10 of the Tandridge Local Plan Part 2 Detailed Policies (2014) (the Local Plan) applies. This policy, in line with the Framework, outlines that planning permission for any inappropriate development will normally be refused unless very special circumstances exist.
8. Policy DP13 of the Local Plan goes on to detail several exceptions to inappropriate development including through reference to a previous version of the Framework. However, this policy pre-dates the latest version of the Framework which introduced the concept of grey belt land.
9. The appeal site is positioned at the northern edge of Dormans Park. It is separated from other nearby settlements by large expanses of predominantly open fields. I am satisfied that the characteristics of the appeal site do not make a strong contribution in the context of purposes a), b), or d) of paragraph 143 of the Framework and therefore the appeal site falls within the definition of grey belt land.
10. To be regarded as not inappropriate development in the Green Belt, development in the grey belt must meet all the criteria set through paragraph 155 of the Framework.
11. Criterion a. requires the development to not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Based on the extent of the site, I am not persuaded that the development of the site would affect the ability of all the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way. I therefore find no direct conflict with criterion a.
12. The Council accepts that it cannot demonstrate a five-year supply of deliverable housing sites. There is therefore a demonstrable unmet need for the type of development proposed and consequently the proposal would satisfy criterion b.
13. Criterion c. relates to development being within a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework. These paragraphs relate amongst other matters to focusing development in locations which are or can be made sustainable and ensuring that sustainable transport modes are prioritised. There is an acknowledgment within paragraph 110 of the Framework that opportunities to maximise sustainable transport solutions will vary

between urban and rural areas, and that this should be taken into account in decision making.

14. The appeal site is some distance away from the nearest available key services and facilities required to meet day to day needs, which would predominantly be found in Dormansland, a settlement to the northeast. The Council present that the appeal site is approximately 1.5km from Dormansland. At the point of the appeal site, the highway is rural in nature without footpaths or streetlamps. Thus, walking from the appeal site to the services and facilities within Dormansland would not be a particularly inviting prospect for future occupiers of the proposed dwelling.
15. However, between the appeal site and Dormansland is Dormans train station which provides connections to larger settlements, towns and cities, including London. Whilst the evidence before me does present some inconsistencies as to the frequency of train services, even at the lower end it is suggested that trains run at least hourly. Travel by train from this station would therefore be a plausible option for accessing services and facilities.
16. Given the circumstances outlined above in respect to a lack of footpaths or lighting, I find that walking to the train station would not be desirable to most. Nevertheless, the route would be relatively straightforward for travel by cyclists and given the short distance the journey would not be insurmountable even for inexperienced cyclists. Equally, the services available within Dormansland would be relatively accessible by cycle, albeit via a slightly longer journey.
17. Based on the proximity of the train station, and the ability for it to be accessed via sustainable modes of transport, I do not find that occupiers of the proposed dwelling would be entirely reliant on the use of a private vehicle for access to services and facilities.
18. Whilst the Council has referred to a connectivity score based on the government's national connectivity tool; this does not override the need for a site specific assessment as undertaken above. Equally, the principles outlined in a sustainability seminar are not site specific to a degree that they are determinative to my conclusions on the appeal proposal.
19. Criterion d. of paragraph 155 of the Framework relates to the 'golden rules' which apply to major development and is therefore not relevant to the appeal proposal before me.
20. Taking the above factors into account, I conclude that the proposal would not be inappropriate development in the Green Belt as it would constitute the development of grey belt land referred to by paragraph 155 of the Framework. I have therefore identified no direct conflict with Policy DP10 of the Local Plan.
21. There would however be some conflict with Policy DP13 of the Local Plan insofar as the appeal proposal relates to a building within the Green Belt not listed as an exception to inappropriate development through the policy. However, this policy pre-dates the current version of the Framework and I have therefore given the list of exceptions it refers to limited weight.
22. As above, the application referred to the proposal comprising an 'infill' dwelling. Various interested parties have objected on the basis that the proposal does not represent infill development (which is potentially permissible as an exception to

inappropriate development through paragraph 154 of the Framework) including with reference to an appeal decision which concluded that Dormans Park is not a village¹. However, given my findings in relation to grey belt, it is not necessary for me to consider this matter further.

23. The reason for refusal in relation to this matter also refers to Policy CSP9 of the Tandridge District Core Strategy (2008) (CS) but this policy relates to gypsy and traveller caravan sites and therefore I find no direct relevance to the appeal proposal before me.

Site location

24. Policy DP5 of the Local Plan relates to highway safety and design requiring proposals to meet several criteria. The Council refer specifically in the reason for refusal relating to this matter to criterion A.2, which requires proposals to not unnecessarily impede the free flow of traffic on the existing network or create hazards to that traffic and other road users. Nevertheless, the wider wording of the reason for refusal relates more broadly to access to public transport services and local amenities.
25. Based on my conclusions above, I have found that occupiers of the proposed dwelling would have appropriate access to public transport services and local amenities thereby limiting the use of the private vehicle. The proposal relates to a single dwelling. The net increase in vehicular movement on the road network would therefore be small, particularly given my conclusions that the occupiers of the site would have opportunity for other more sustainable modes of transport such as cycling. I have therefore identified no direct conflict with Policy DP5 of the Local Plan.

Other Matters

26. The appellant has referred to various previous appeal decisions which have been allowed where matters of sustainability and access to services were a key consideration. However, given that I have found the appeal proposal acceptable on its own merits, it is not necessary for me to consider these decisions further.
27. My attention has also been drawn to previous appeal decisions² in the District including an application at Furzefield Chase in Dormans Park. Nevertheless, the extracts of these decisions which have been referred to clearly relate to the Inspectors finding of Green Belt harm. Given that I have found the appeal proposal to represent not inappropriate development in the Green Belt, these decisions are not directly comparable to the appeal scheme before me.
28. 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, the visual impact on the nearby public footpath, matters of sustainable drainage, the contribution to local housing needs (in terms of the size of the dwelling), and the details of the highway access.

¹ APP/M3645/W/21/3286617

² APP/M3645/W/19/3237774 and APP/M3645/WW/3299127

29. The appeal 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.
30. Several representations have raised concerns that the development of the site would set a precedent for further piecemeal development in the Green Belt. Based on the evidence before me I am not convinced that the grant of permission in principle at the appeal site would lead to further applications. Nevertheless, if further applications were to be received, then these would have to be assessed on their own merits based on the development plan at the time of determination.
31. Previous and ongoing works which have taken place at the site to the south of the appeal site are not relevant to the determination of the appeal.

Conditions

32. 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

33. The proposed development would conflict with the development plan, but material considerations indicate that a decision should be made other than in accordance with it. Having taken into account all matters raised, I conclude that the appeal should be allowed.

L Gardner

INSPECTOR