
Appeal Decision

Site visit made on 11 February 2026

by **E Everitt BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 March 2026

Appeal Ref: APP/C3620/W/25/3376642

Cotton Row Farm, Cotton Row, Holmbury St Mary, Surrey RH5 6NB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Ms Lowe against the decision of Mole Valley District Council.
 - The application Ref is MO/2025/1046.
 - The development proposed is demolition of one dwellinghouse and dog day-care centre with boarding kennels and erection of one dwellinghouse.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal scheme is an outline proposal, with access to be considered at this stage, and appearance, layout, scale and landscaping reserved for future consideration. I have considered the appeal accordingly.

Main Issue

3. The main issue is the effect of the proposed development on the rural economy.

Reasons

4. Policy EC4 of the Mole Valley Local Plan 2020-2039 (adopted 2024) (the Local Plan) sets out requirements which apply where development would result in the loss of a commercial, business or service use (Class E or similar Sui Generis use) or an employment use (Class B2, B8 or similar Sui Generis use) or a small shop (Class F2a). The requirements include demonstrating that there is no reasonable prospect of the site remaining in its current use, that opportunities to reconfigure the site have been exhausted and that the site has been actively and unsuccessfully marketed.
5. While the proposal would result in the loss of the existing dog day care centre and boarding kennels at the appeal site, the appellant has put to me that the requirements within Policy EC4 of the Local Plan do not apply in this case as the existing business is not a use which the policy seeks to protect. The appellant suggests that the existing business is a non-strategic economic activity and, as such, is not intended to be subject to the requirements in Policy EC4 of the Local Plan. The appellant also asserts that the policy is not applicable as the site is not in sole use for commercial purposes.
6. I acknowledge that there may have been discussion during the examination of the Local Plan regarding the intended focus of Policy EC4. Nonetheless, the policy

before me is what was, ultimately, found sound and adopted. I have, therefore, considered the appeal proposal on this basis.

7. From the evidence before me, the existing business provides a service to the public, which appears to be well-used, with a marketable demand and limited competition or alternatives. There is nothing to suggest that it does not contribute to the rural economy or is not of value to its customers. Moreover, neither Policy EC4 nor the supporting text specifies that it only applies to strategic rural activities/businesses or standalone commercial uses. Given this, I am of the view that it provides a service of a similar Sui Generis use to Class E and that Policy EC4 would be applicable in this case.
8. The requirements of Policy EC4 may apply to differing degrees depending on the nature of a site and specific development proposal and, as such, there may be instances where they should be applied flexibly. Nevertheless, even though the site is in mixed residential and commercial use and not part of a rural employment cluster or situated within a designated employment area, the policy seeks to ensure that any loss of uses that contribute to the rural economy are fully considered and I am not satisfied that the information before me suitably addresses this.
9. The appellant has not provided any evidence of marketing the site for its current use or any alternative employment use. They have put to me that the business is specialised and operator-specific with limited transferability. However, there is no substantive evidence before me, such as an independent appraisal, to support the assertion that the site is unlikely to attract alternative occupiers or investment. Even though the business is a bespoke operation inherently linked to the current occupier, it has not been demonstrated through robust evidence that there would be no commercial market to assess or that there is no reasonable chance of the premises, separate to or including the residential dwelling, being reused by another operator.
10. As such, in the absence of appropriate evidence, I am not satisfied that the proposal would not result in a harmful effect on the rural economy.
11. I acknowledge that the existing dog day-care centre with boarding kennels and dwelling both benefit from separate Certificates of Lawful Development with the planning unit, therefore, comprising a mixed commercial and residential use. Either, or both, of these uses could lawfully continue and, as such, they represent fallback options. However, the proposal would result in the loss of the existing business use and the presence of these fallback options does not surmount the need to consider the impact of the proposal on the rural economy.
12. The appellant suggests that the proposed development would result in a lesser impact upon the sensitive location within the Green Belt, the Surrey Hills National Landscape and an Area of Great Landscape Value compared to the existing use or an alternative commercial use. Nonetheless, even if this would be the case, this would neither mitigate nor justify the harm I have identified to the rural economy. Furthermore, irrespective of the location, I am not aware of any concerns from the Council or any other parties in respect of the existing use.
13. Moreover, an alternative commercial use of the site would not necessarily result in increased traffic, noise or any other impact. In this regard, the impacts of any

potential future use do not justify setting aside the clear requirements of Policy EC4.

14. In conclusion, therefore, as there is insufficient evidence before me to demonstrate that there is no reasonable prospect of the site remaining in its current use, that opportunities to reconfigure the site have been exhausted and that the site has been actively and unsuccessfully marketed, I conclude that the proposed development would have a harmful effect on the rural economy. As such, the proposal is contrary to the relevant provisions of Policy EC4 of the Local Plan.

Other Matters

15. The absence of objections from third parties and statutory consultees does not render the scheme acceptable and is a neutral factor in my decision.

Conclusion

16. For the reasons given above, the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

E Everitt

INSPECTOR