



Appeal Decision

Site visit made on 17 March 2026

by **S Simms BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 May 2026

Appeal Ref: APP/C3620/W/25/3376810

Paddock Rise Farm, Partridge Lane, Newdigate, Surrey RH5 5BP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for approval of details required by a condition of a planning permission.
 - The appeal is made by Ludovic Langton against Mole Valley District Council.
 - The application reference MO/2025/02331 sought approval of details pursuant to condition no. 2 of a planning permission reference MO/2023/1554 granted on 31 October 2024.
 - The development proposed is the stationing of 2 No. mobile homes for occupation by agricultural workers for a temporary period of three years. Erection of an agricultural barn and track. Change of use of land from agricultural to mixed use agricultural and commercial equine.
 - The details for which approval is sought are lighting, foul drainage, noise, cooling and insulation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal form indicates that the application type was the removal or variation of conditions, but it is clear from the submission that it was, in fact, for approval of details required under a condition and I have dealt with the appeal on that basis.
3. The Council advises that the reference on the appeal form is that of an earlier submission. The application the subject of this appeal is, in fact, a resubmission, the reference for which appears in the banner heading above.
4. The planning permission itself was granted on appeal¹ on 30 October 2024 following refusal by notice dated 31 January 2024. Condition 2 reads:

“Unless within two months of the date of this decision:

- a schedule of lighting (both existing and proposed),
- details of foul drainage from the mobile homes,
- measures to attenuate noise levels emanating from the on-site power generator; and,
- a scheme of cooling and ventilation sufficient to mitigate noise, prevent overheating and maintain thermal comfort of occupiers of the mobile homes,

¹ APP/C3620/W/24/3340899

are submitted in writing to the local planning authority for approval, and unless the approved details are implemented within 2 months of the local planning authority's approval, the use of the site and occupation of the mobile homes shall cease, and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as the relevant detail is approved and implemented.

If all of the details in accordance with this condition are not approved within 6 months of the date of this decision, the use of the site and occupation of the mobile homes shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as the details approved by the local planning authority is implemented.

Upon implementation of the approved details specified in this condition, the details shall thereafter be maintained as approved.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined."

5. The condition was imposed to ensure that lighting did not harm the character and appearance of the area or wildlife, that drainage did not harm ecology, and that noise, cooling and insulation both did not harm the living conditions of neighbours and ensured adequate living conditions for occupiers on the site.

Main Issue

6. The main issue is whether the submitted details are acceptable to discharge condition 2 of planning permission reference MO/2023/1554.

Reasons

7. The appeal site comprises a field with a loose stone access driveway and metal gate flanked by fences, containing two mobile homes, a barn and a shed. During my visit, several cars, one being repaired under a canopy, a shipping container, van, motorhome, caravan, horse transporter and a lorry were also on site. A house is located about 100m to the south with three or four others beyond. Protected trees line the northern, western and southern boundaries of the site.²
8. The submission includes a statement, foul drainage plan showing 110mm pipes from each mobile home to a cesspit via a manhole, aerial photographs with the locations of the cesspit, generator and five lights to the access, a generator specification and enclosure image, a barn elevation with the location of two lights and two images of solar LED lights, one described as 'existing lighting illustration – entrance and field shelters', the other as 'proposed lighting – barn entrance'.
9. The Council's scientific officer was content with the lighting, but requested the capacity of the proposed cesspit, but was concerned that the proposed generator cabinet would not work and requested details of its connection to the chimney, its ventilation, designer and acoustic performance, together with the confirmation of a suitably qualified heating and ventilation engineer that the capacity of the systems integrated with the mobile homes would be adequate.

² The Surrey County Council (Glover's Wood, Charlwood) (No. 2) Tree Preservation Order 1964.

10. The lighting I saw fixed to fences alongside the access driveway differed from that in the images marked 'existing lighting illustration'. Neither specification sheets nor lux plots are provided for any of the lighting. The site context is rural, the nearby lane unlit and, despite enclosure by trees, the impact of inappropriate lighting in this dark environment could be significant. Consequently, I cannot be sure that the lighting would not harm the character and appearance of the area.
11. The submission stated that foul drainage would be to a 2,500-litre cesspit. Unlike a septic tank, the proposal would be sealed system, but I have neither evidence that the capacity would be adequate nor a specification describing, for example, alarms to avoid overflows or other damage leading to ecological harm.
12. No specification is provided for either the generator housing, the image of which appears show no means of exhausting fumes, or cooling and ventilation systems. Whilst the latter are integrated and thus likely to be designed to maintain thermal comfort for that size of mobile home, the lack of noise data means that I cannot be sure that either they or the generator would not cause disturbance to residents of nearby properties, particularly in the late evenings.
13. Overall, I conclude that the submitted details are not acceptable to discharge condition 2 of planning permission reference MO/2023/1554 because they fail to demonstrate that harm would not be caused to the character and appearance of the area, ecology or the living conditions of nearby residents.

Other Matters

14. Correspondence submitted with the appeal includes a complaint by the appellant in respect of the handling of the original submission and the Council's response to that complaint. This is not a matter for me, but rather for the complainant, Council and possibly the Local Government Ombudsman to resolve.

Conclusion

15. For the reasons given above the appeal should be dismissed.

S Simms

INSPECTOR