



Appeal Decision

Hearing held on 25 February 2026

Site visit made on 25 February 2026

by Jennifer Wallace BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 May 2026

Appeal Ref: APP/C3620/W/25/3375003

Land at Old Reigate Road, Betchworth RH3 7DR

- 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 Miss Alice Watkins against the decision of Mole Valley District Council.
 - The application Ref is MO/2025/0384/PLA.
 - The development proposed is erection of a self-build dwelling and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a self-build dwelling and associated works at Land at Old Reigate Road, Betchworth RH3 7DR in accordance with the terms of the application, Ref MO/2025/0384/PLA, subject to the conditions in the attached schedule.

Applications for costs

2. An application for costs has been made by Miss Alice Watkins against Mole Valley District Council. This application is the subject of a separate decision.

Preliminary Matters

3. A Preliminary Ecological Appraisal was submitted with the appeal. Consequently the Council no longer wishes to defend its third reason for refusal. I have no reason to disagree with this and will not consider this as a main issue.
4. A completed planning obligation, dated 3 October 2025 pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) has been submitted which seeks to secure the proposed dwelling as self build. I will return to this in due course.

Main Issues

5. The main issues in this appeal are:
 - 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;
 - whether the proposal would provide suitable living conditions for future occupants with respect to outlook; and
 - whether it is necessary for further information to be submitted with respect to trees.

Reasons

Whether Inappropriate Development

6. The site is located within the Metropolitan Green Belt. The Framework identifies at paragraph 142 that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraphs 154 and 155 of the Framework confirm that development is inappropriate in the Green Belt unless it is one of the exceptions listed.
7. Mole Valley Local Plan 2020-2039 (adopted October 2024) (MVLP) Policy EN1 identifies land within the Green Belt and confirms inappropriate development will not be permitted unless very special circumstances are demonstrated. It sets out exceptions to the definition of inappropriate development, some of which contain specific local considerations. The parties are not in dispute, in light of case law and previous appeal decisions, that it would not be unreasonable to consider the site as being within a village for the purposes of Green Belt assessment. I agree that this is a reasonable conclusion and have assessed the proposal on this basis.
8. As a proposal for a single dwelling, the development would be limited. The glossary to the MVLP contains a definition of infill. Although the surrounding dwellings are typically set in very large plots, there are further dwellings to both sides and to the rear of the appeal site. Even if there were not, the site is very well related to the existing layout and built form of Betchworth due to its position on Old Reigate Road and the footpath connecting it to the services and facilities in both directions. The proposed dwelling would be of a modest scale. The pattern of development in the surrounding area is varied, but does include dwellings set in close proximity to the road and in more modest plots. I am therefore satisfied that the proposal meets the definition of infill contained within the MVLP.
9. I acknowledge this is a different conclusion to that reached in the previous appeal decisions concerning this site. However, the adoption of the MVLP with its definition of infill represents a material change in how the proposal should be assessed. It is also not necessary for me to assess the proposal against any other exceptions set out in either the MVLP or the Framework.
10. The proposal would therefore be not inappropriate development in the Green Belt. It would be in accordance with MVLP Policy EN1 and the exception set out in paragraph 154 e) of the Framework.

Living Conditions

11. Concern is raised only in respect of outlook from bedroom 1. There would be three high level windows which would face onto the wall to the rear of the site. There would be a small rooflight which would offer an unobstructed outlook to the sky. A Juliet balcony is proposed to the side elevation, although this would be obscure glazed.
12. The proposal provides an unconventional pattern of openings to this bedroom. However, while the opportunities for outlook would be limited due to the size and position of the rooflight, it would nonetheless provide some outlook. The room would be on the first floor, is proposed to be used for a bedroom and would provide more than sufficient levels of natural daylight. The overall size of the accommodation, at approximately 110sq m, would be well above the Nationally

Described Space Standard requirement of 79sqm. Consequently, the somewhat limited level of outlook from bedroom 1 would not equate to unacceptable living conditions.

13. The proposal would provide suitable living conditions for future occupants with respect to outlook. The proposal would therefore be in accordance with MVLP Policy EN4 which requires development to ensure the amenity of future occupiers is not significantly affected.

Trees

14. The MVLP is clear in its intent to seek to retain trees where practicable and this is consistent with paragraph 136 of the Framework which recognises the importance of trees. I am also mindful of the advice in the Planning Practice Guidance (PPG) that information requested with a planning application must be reasonable having regard, in particular, to the nature and scale of the development.
15. Trees and landscaping are prominent along the road frontages in Betchford, giving it an attractive, verdant character and appearance. The appeal site has trees and shrubbery along the raised front boundary.
16. This landscaping does make a positive contribution to the character and appearance of the area. However this is a limited contribution due to the form and shape of the trees and the shrub species in comparison with the attractive, more mature landscaping in the surrounding area. The submitted plans do show the retention of some of the landscaping. However, given the limited contribution this makes to the character and appearance of the area, I am not convinced it would be necessary and so reasonable to require its retention and so require assessment of the effect of the development on it. The harm that would arise from the loss of the existing planting could be addressed by a landscaping condition, the approval of which would lie in the control of the local authority.
17. I am therefore satisfied it would not be necessary for further information to be submitted with respect to trees. It would be possible for a development to be brought forward which would be in accordance with MVLP Policies EN4 and EN9 which requires development to seek to retain existing trees and hedges where practicable and where not, to incorporate well-designed landscaping.

Other Matters

18. The appeal site is adjacent to Tranquil House¹, a Grade II listed building dating from the mid-18th century. It is constructed from whitewashed roughcast brick with a plain tiled roof. Its special interest is derived from its architectural and historic interest as a well preserved Georgian dwelling. The immediate setting of the building is informed by its surrounding garden which allows its function as a dwelling to be fully appreciated. The appeal site, by virtue of its undeveloped nature, allows the architectural detailing on the upper floor and roof of the side elevation to be appreciated in views along Old Reigate Road.
19. The proposed dwelling would appear as single storey to the front elevation, with a steeply pitched roof allowing for accommodation in the roof space and the building appearing as effectively two storey at the rear elevation. This design, along with the siting of the dwelling to the rear of the site, means that the views of the listed

¹ List Entry Number:1189683 Date first listed:11 November 1966

building would be largely retained. The proposal would therefore have a neutral effect on and so would preserve the setting of Tranquil House. The proposal would therefore be in accordance with the requirements of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which require me to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

20. Access to the site would be taken from an existing access which serves a number of other properties and also is a public right of way. Given the low numbers of vehicular movements likely to be generated by the proposal and the improvements to the junction with Old Reigate Road that could be secured by condition, the proposal would not have an adverse effect on highway safety or the safety of users of the footpath.
21. The dwelling is proposed as self build, and exemption from the statutory biodiversity net gain condition is sought on this basis. The appellant has submitted a planning obligation to secure this, and issues concerning the ownership of the site have been resolved. Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) (CIL Regulations) and paragraph 58 of the Framework set out three tests that planning obligations must meet.
22. The Council has raised concerns about the wording of the obligation and the time period for occupation. These are issues which should have been raised earlier in the appeal process. Nonetheless, I am satisfied that the wording would ensure that the first occupation of the dwelling would meet the definitions in the Self Build and Custom Housing Act 2015 as amended. I appreciate the logic in the Council's suggestion that the planning obligation should secure a minimum period of occupation. However, as the Council is a CIL Charging Authority, this provides a degree of comfort as to a likely future period of occupation of a self build property.
23. I am satisfied that the obligation is necessary to make the development acceptable in planning terms to secure a self build dwelling. It is directly related to the development proposal and is fairly and reasonably related in scale and kind to the development. I am therefore satisfied that the planning obligation would meet the requirements of the CIL Regulations and the Framework in respect of this issue.

Conditions

24. The Council has suggested several conditions should the appeal be allowed. I have had regard to these in light of the advice contained within paragraph 57 of the Framework and the PPG. I have made amendments in the interests of clarity to some of these following discussion at the hearing. I have imposed standard conditions relating to the commencement of development and approved plans to define the terms of the permission. As the full detail of the north elevation is not entirely apparent on the approved plans, for the avoidance of doubt, the full elevation should be approved.
25. In the interests of the character and appearance of the area, it is reasonable and necessary to require details of materials and landscaping to be approved. It would not be reasonable to require the retention of the landscaping in perpetuity. Although the proposal is for a single dwelling only, given the changes in land levels it is reasonable and necessary to require details of surface water drainage to be approved. This, and landscaping, go to the heart of the permission so it is

necessary for them to be pre-commencement conditions. The appellant has provided their written agreement to these in the statement of common ground.

26. It is reasonable and necessary for it to be demonstrated that the development would be zero carbon ready to meet the requirements of the development plan. It is necessary in the interests of biodiversity for the development to be carried out in accordance with precautionary working measures relating to great crested newts.
27. In the interests of highway and pedestrian safety, parking and turning space must be available before the dwelling is occupied and thereafter retained. I have amended the suggested condition to also require the works to the garden wall to improve visibility at the junction with Old Reigate Road to also be carried out to this timescale.
28. As the proposal is for a dwelling with a reasonable sized garden, it is not necessary to require cycle parking provision as there is ample space for future occupiers to store cycles in a manner suitable to their needs and wishes. It is also not necessary to require the installation of an electric vehicle charging point or gigabit capable internet connection as these are matters controlled by the building regulations.

Conclusion

29. For the reasons given above, the appeal is allowed.

Jennifer Wallace

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 nos un-numbered site location plan, 1514-02E, 1514-03E, and 1514-04B.
- 3) Notwithstanding the details shown on the approved plans, no development above ground level shall take place until details of external materials have 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 floor level shall take place until a north elevation drawing has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved drawing.
- 5) Prior to the commencement of any above ground works in connection with the development hereby permitted (excluding demolition and site clearance works), details of shrubs, trees and hedges to be planted and areas of new hardsurfacing, shall be submitted to and approved in writing by the Local Planning Authority. The details of hardsurfacing shall indicate either porous materials or the provision of a direct run-off from the hard surface to a permeable or porous area. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the occupation of the buildings or the completion of the development, whichever is the sooner, and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting, shall be replaced during the next planting season with specimens of the same size and species, unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 6) Prior to the commencement (excluding demolition) of the development hereby permitted, surface water drainage details shall be submitted for the approval in writing by the Local Planning Authority. Such details shall include an assessment of the potential for the disposal of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework. The assessment shall provide information of the design storm period and intensity (typically a 1 in 100 year storm of 30 minutes duration with an allowance for climate change), the method employed to delay and control the surface water discharged from the site and the means to prevent pollution of the receiving groundwater and/or surface water. Where applicable, the details shall include infiltration tests, calculations and controlled discharge rates. If the development is to discharge water into the ground in any form, then a full BRE Digest 365 infiltration test (or falling head test for deep bore soakaways) will have to be submitted to the Local Planning Authority prior to commencement of any works on site. The suitability of infiltration methods should be verified (i.e. possible contaminated ground). The approved drainage scheme shall be implemented prior to the first occupation of the development.
- 7) Before any above ground works take place, details of how the development hereby permitted will be zero-carbon ready, shall be submitted to and approved by the Local Planning Authority and be implemented prior to the first occupation of

the development. In the event of Air Source Heat Pump (ASHP) technology being proposed for use at the site, full details of the specification and maintenance of the ASHPs shall be submitted to and approved in writing by the Local Planning Authority and the development thereafter carried out in accordance with those approved details.

- 8) The development should be carried out in accordance with the precautionary working methods for Great Crested Newts set out in the Ecological Appraisal by Deepdene Ecology dated October 2025.
- 9) The development hereby approved shall not be first occupied until space has been laid out within the site in accordance with the approved plans, Drawing No. 04B, for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and the alterations to the boundary wall shown on Drawing No. 02E have been carried out. Thereafter the parking and turning areas and the boundary wall shall be retained and maintained for their designated purposes.

[END OF CONDITIONS]

APPEARANCES

FOR THE APPELLANT:

Julian Sharpe MRTPI

Michael Watkins

FOR THE LOCAL PLANNING AUTHORITY:

Donna Bulbeck Msc

Andy Barber

DOCUMENTS

Document 1 – Council email 25 February 2026 14:00 regarding tree condition and title

Document 2 – Tranquil House and Betchworth Non-inset village boundary

Document 3 – Betchworth Non-inset village boundary

Document 4 – Policy INF5: Digital Infrastructure

Document 5 – Local Plan Glossary – Infill definition

Document 6 – Appellant email 25 February 2026 15:22 regarding tree condition and title

Document 6 – Annual Monitoring Report 2023/24 (extract)

Document 7 – Land Registry Document

Document 8 – Council email 26 February 2026 08:44 regarding appearances

Document 9 – Council email 26 February 2026 14:33 regarding title

Document 10 – Appellant email 26 February 2026 15:22 regarding title

Document 11 – Land Registry Document

Document 12 – Land Registry Acknowledgement

Document 13 – Appellant email 28 April 2026 09:22 regarding title

Document 14 – Proof of Title

Document 15 – Council email 30 April 14:01 regarding title