



Appeal Decision

Site visit made on 4 March 2026

by Timothy Parton BA(Hons) MPLAN MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 June 2026

Appeal Ref: 6002299

Eliza's Yard, Willey Lane, Chaldon, Surrey CR3 6AR

- 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 Eliza Developments Limited against the decision of Tandridge District Council.
 - The application Ref is TA/2025/756.
 - The development proposed is demolition of existing stable and erection of four five-bedroom detached dwellings and two four-bedroom detached dwellings (Use Class C3), with associated hard and soft landscaping, new tree planting, creation of new vehicular access from Stanstead Road at Eliza's Yard and creation of pedestrian access to Willey Lane.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs has been made by both parties and is the subject of a separate decision.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (2024) (the Framework) and any relevant development plan policies;
 - the effect on the openness of the Green Belt;
 - the effect on the character and appearance of the area, including the Area of Great Landscape Value (AGLV);
 - accessibility to services and facilities;
 - the effect on ecology;
 - the provision of suitable drainage;
 - whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development

4. Policy DP10 and Policy DP13 of the Tandridge Local Plan Part 2: Detailed Policies (2014) (LP), taken together, broadly reflect the Framework in seeking to maintain the openness of the Green Belt. They require that very special circumstances be demonstrated, or that one of the exceptions set out in the Framework apply, for development to be regarded as not inappropriate.
5. The Framework sets out at paragraph 155 criteria where the development of homes in the Green Belt should not be regarded as inappropriate. I consider these in turn. Criterion a) relates to grey belt and the purposes of the Green Belt. As the appeal site contains a horse stable, it is agreed between the parties that the site constitutes previously developed land. Based on the existence of the stable as a permanent structure, I agree that the site constitutes previously developed land as defined by the Framework.
6. Considering the purposes of the Green Belt outlined within paragraph 143 a), b) and d) of the Framework, the site does not check the sprawl of a large built-up area, prevent neighbouring towns from merging, or preserve the setting and special character of a historic town. With the exception of Green Belt, the site is not within an area or asset of particular importance listed within footnote 7 of the Framework. It is agreed between the parties that the site is grey belt, and having regard to the above and the Framework definition, I agree.
7. Furthermore, the evidence before me does not demonstrate that the proposed development would fundamentally undermine the purposes (taken together) of the remaining Green Belt in the area. The proposal therefore satisfies criterion a) of paragraph 155.
8. The Council confirms that it cannot demonstrate a five-year housing land supply, with 1.92 years' of supply identified within the Council's five-year housing land supply position published in April 2024. Accordingly, for the purposes of criterion b) of paragraph 155, there is a demonstrable unmet need for the type of development proposed, which would provide a positive contribution to housing supply in the area. As the appeal proposal does not meet the definition of 'major development', criterion d) of paragraph 155 is not applicable here.
9. Criterion c) of paragraph 155 requires development to be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework. Being outside of Caterham, the appeal site is located some distance from services and facilities. The nearest public transport services located on Rook Lane would be accessed via a route comprising rural partly unsurfaced roads with limited pavements and street lighting. While there are footpaths and streetlighting towards shops and public transport services at Townsend and Caterham Valley High Street, the distance involved, the gradient of the route, and the remoteness of the area near the appeal site, would be likely to discourage walking as a viable regular means of accessing these services and facilities.
10. The proposal includes the provision of two electric bicycles for each dwelling. There are no dedicated cycle lanes in the locality and, given that pavements along Stanstead Road are narrow and uneven in places, future occupants would be likely to cycle on roads to access services and facilities. Even with the assistance

of an electric bicycle, the topography of the area and the distances involved would be likely to deter all but more experienced cyclists from regularly accessing services and facilities by bicycle.

11. The limited accessibility of the site to services and facilities by sustainable modes of transport is likely to result in future occupiers using a car to address most of their daily needs. Consequently, the appeal site would not be a sustainable location for development.
12. Within this open countryside context the proposal represents significant development. The proposal would therefore fail to meet the sustainable transport aims of paragraph 110 of the Framework, which states that significant development should be focused on locations which are or can be made sustainable. While the Framework notes that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, the scale of development proposed would result in a significant increase in households likely to be reliant on the use of a motor vehicle to access services and facilities. The location of the proposed development would not allow sustainable transport modes to be prioritised, which would also conflict with paragraph 115 of the Framework.
13. For the reasons outlined above, the appeal site would not be a sustainable location as required within paragraph 155 c) of the Framework. The proposal therefore fails to meet all of the exceptions in paragraph 155 and consequently constitutes inappropriate development in the Green Belt. In that regard, the proposal would therefore conflict with LP Policies DP10 and DP13, the requirements of which are set out above.
14. I have also considered whether the proposal constitutes inappropriate development having regard to the exceptions set out in paragraph 154 of the Framework and LP Policy DP13. I have already concluded that the appeal site comprises previously developed land. Consideration of any harm to the openness of the Green Belt is addressed below.

Openness of the Green Belt

15. The appeal site is currently in equestrian use and comprises open grassed fields subdivided by fencing, together with a stable building and associated equestrian paraphernalia. The site is visible from adjacent roads and is bounded by pockets of dense vegetation, including hedgerows and trees, as well as sections of fencing. The proposed development, by virtue of the amount of built form, associated boundary treatments, outdoor amenity space, access road and areas of hardstanding for driveways, parking and vehicle manoeuvring, would inevitably result in a loss of openness in visual terms.
16. Furthermore, the proposed layout would introduce built form along much of the site's boundaries facing Willey Lane and Stanstead Road, eroding the predominantly undeveloped gap between existing properties. This encroachment of development into the open countryside would reduce the openness of the Green Belt in spatial terms.
17. The identified reduction in visual and spatial openness would be harmful to the Green Belt. This would be contrary to the aims of the Framework stated within paragraphs 142 and 143, which amongst other things, seek to keep land permanently open and safeguard the countryside from encroachment.

18. I have been directed to a recent appeal decision (APP/F2605/W/25/3370598) regarding development in the Green Belt and the application of footnote 55 of the Framework. As in that case, footnote 55 is only relevant where the proposed development is found to be not inappropriate, and therefore the impact on openness is no longer a determining issue. In this appeal I have found that the proposal constitutes inappropriate development in the Green Belt when assessed against paragraph 155 of the Framework. Footnote 55 is therefore not applicable, and the effects of the proposal on the openness of the Green Belt must be considered.
19. Accordingly, the proposal would constitute inappropriate development in the Green Belt when assessed against paragraph 154 of the Framework and LP Policy DP13, which together seek to maintain the openness of the Green Belt. There would be significant harm to openness arising from the proposed development. This harm, in addition to the harm by inappropriateness, carries substantial weight against the proposals.

Character and Appearance

20. The appeal site is located in the open countryside, occupying a prominent position at the junctions of Willey Lane, Beech Grove, and Stanstead Road. These roads are characterised by sporadic development of large residential dwellings predominantly on substantial plots with extensive gardens, generally set back from the street and largely screened by mature vegetation. The appeal site is surrounded by residential properties and countryside. Its open countryside character and appearance make an important contribution to the rural character of the area, providing views of equestrian activity, open fields, and areas of dense vegetation.
21. A large proportion of the appeal site is located within the AGLV. Tandridge District Core Strategy 2008 (CS) Policy CSP20 primarily relates to the conservation and enhancement of the Surrey Hills National Landscape. However, the Policy also states that the same principles will be applied in the AGLV, which will be retained for its own sake, as a buffer to the Surrey Hills National Landscape, and to protect views from and into the national landscape area.
22. The Landscape and Visual Appraisal (dated July 2025) (LVA) submitted with the application concludes that the layout of the proposal would be sufficiently 'set-back to retain the sense of openness from adjacent roads and the AGLV'. However, I find that the amount of development and the layout would have an urbanising effect, resulting in a detrimental change to the established countryside character and appearance of the area. While the existing boundary vegetation and additional proposed planting and soft landscaping may reduce the visual effects, the appeal proposal would nonetheless appear visually prominent from beyond the length of the outer site boundaries along Willey Lane and Stanstead Road. The site would be significantly more developed and visually prominent than surrounding residential properties and, as such, would not be a sympathetic or well-integrated form of development.
23. In relation to the AGLV, the LVA concludes that the 'intervisibility of the proposed development is very localised, with landscape areas beyond 0.25km experiencing no greater than negligible effect owing to the density of woodland cover'. I agree that the dense vegetation surrounding the appeal site, together with the local

topography, would limit the effects that any development on the site would have on the wider surrounding area, including the Surrey Hills National Landscape.

24. However, the harm identified above in relation to the character and appearance similarly affects the AGLV, which CS Policy CSP20 seeks to retain for its own sake. The proposed development would therefore conflict with CS Policies CSP20 and CSP21, which seek to conserve and enhance the special landscape character, heritage, distinctiveness, and sense of place of the AGLV, and to protect the countryside's character and distinctiveness for its own sake.
25. The proposed development would conflict with CS Policy CSP18, LP Policy DP7, and Policies CCW4 and CCW5 of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan 2021 (the Neighbourhood Plan), which taken together, require new development to respect and reflect the character, setting and local context, integrate well with their surroundings, and reinforce local distinctiveness and landscape character.
26. The harm to the character and appearance of the area arising from the proposed development would also conflict with paragraph 135 of the Framework, which seeks to ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.

Accessibility to services and facilities

27. In relation to my earlier findings on paragraph 155 c) of the Framework, the appeal site would not constitute sustainable development, with particular regard to its accessibility to services and facilities. This is contrary to LP Policy DP5 which requires, amongst other things, that proposals should promote access by public transport, foot and bicycle to nearby residential, commercial, retail, educational, leisure and recreational areas.
28. The Council also refused the proposal on the basis that it would not provide safe pedestrian or cycle connectivity to local amenities and public transport services. As set out above, future occupiers would be largely reliant on the private motor car to access services and facilities. Nevertheless, where capable, it would be possible for occupiers to access services and facilities using existing pavements with street lighting and appropriate crossing facilities.
29. Accordingly, while such journeys may be challenging for some users, I have no evidence before me to demonstrate that the route would be unsafe. Consequently, I find no conflict with LP Policy DP5 in relation to the provision of safe pedestrian and cycle connectivity to local amenities and public transport services.

The effect on ecology

30. An Ecological Impact Assessment (dated November 2025) has been submitted in support of the appeal. The assessment accords with the Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines and includes a UK Habitat Classification survey, a daytime bat walkover survey and a ground-level tree assessment. No concerns have been raised by the Council, in consultation with Surrey Wildlife Trust, regarding the assessment methodology, and I have no reason to reach a different conclusion.
31. The Assessment concluded that all trees with bat roosting potential will be retained within the proposed development, and any lighting impacts on foraging and

roosting bats can be addressed by planning conditions. Further planning conditions are proposed to mitigate any impacts on breeding birds.

32. The Council has raised concerns regarding the Ecological Survey Report included within the Assessment in relation to common reptile species. Given that the majority of the habitats on the site were considered to be suboptimal to support common reptiles, I see no reason to disagree with the conclusions of the Assessment, which require a detailed Reptile Mitigation Strategy and Precautionary Method Statement to be included within a Construction Environmental Management Plan secured through a planning condition.
33. I am satisfied that the submitted Ecological Impact Assessment has sufficiently addressed the concerns raised by the Council within the reason for refusal. Consequently, I find no conflict with CS Policy CSP17 and LP Policy DP19, and relevant sections of the Framework, which taken together seek, amongst other things, to protect biodiversity and priority species.

The provision of suitable drainage

34. While a Flood Risk Assessment (dated April 2025) and Proposed Drainage Strategy (dated June 2025) were submitted, the Council have raised concerns regarding the lack of a detailed drainage strategy which demonstrates that surface water will be managed and discharged from the site in accordance with the drainage hierarchy. In addition, concerns were also raised regarding the lack of a soakage test, including appropriate ground investigations, consideration of exceedance events, and a lack of proposed Sustainable Drainage Systems (SuDS) features and maintenance considerations within the proposal.
35. There are no existing flooding issues associated with the appeal site, and the size of the site and the proposed development would allow for any additional required mitigation measures and SuDS features to be incorporated. I am therefore satisfied that the additional drainage information requested by the Council could be secured by planning conditions. Consequently, I find no conflict with LP Policy DP21, Policy CCW5 of the Neighbourhood Plan, and relevant sections of the Framework, which taken together seek, amongst other things, to secure opportunities to reduce both the cause and impact of flooding through the incorporation of SuDS suitable to the scale and type of the development.

Other considerations

36. The proposed development would deliver housing in an area with a significant deficit in housing land supply. The proposal would also deliver biodiversity improvements on the site, with an increase in habitat units and hedgerow units. Accordingly, I attribute substantial weight to each of these benefits.
37. The proposal would deliver some associated socio-economic benefits arising from the construction of the dwellings, and future occupants would be likely to use and support local services. Paragraph 85 of the Framework states that significant weight should be placed on the need to support economic growth and productivity. However, in this instance any benefits would be limited to only that which could be reasonably expected from the construction of 6 dwellings, these matters attract moderate weight.

38. The Council is unable to demonstrate a five-year supply of deliverable housing sites. However, I have found that the potential harm to the Green Belt would not be clearly outweighed by other considerations, and this provides a strong reason for refusing the proposal. Therefore, the presumption in favour of sustainable development as set out in paragraph 11d) of the Framework does not apply here.

Other Matters

39. I have been referred to a recent appeal decision (APP/F2605/W/25/3370598) concerning the sustainability of sites located outside of a settlement boundary. However, that proposal involved a smaller development in a different area and under materially different circumstances. It therefore does not provide a meaningful comparison. In any event, each scheme must be considered and determined on its individual merits.

Conclusion

40. The location and scale of development would harm the character and appearance of the area. In addition, the proposal does not provide genuinely sustainable travel options. The proposed development is therefore contrary to CS Policies CSP18, CSP20 and CSP21, LP Policies DP5 and DP7, and Policies CCW4 and CCW5 of the Neighbourhood Plan.
41. It would be inappropriate development in the Green Belt and would be substantially harmful to its openness. This would be contrary to the Framework and LP Policies DP10 and DP13.
42. The proposal would deliver some benefits. It would provide additional dwellings in an area with a significant shortfall in housing land supply, some socio-economic benefits, and biodiversity gain. However, these other considerations do not clearly outweigh the totality of harm so as to amount to the very special circumstances necessary to justify development in the Green Belt.
43. Although there would be compliance with some aspects of the development plan, I give greater weight to the identified conflicts. As such, the proposal would conflict with the development plan when taken as a whole, as well as policies within the Framework, and there are no material considerations that indicate the decision should be made other than in accordance with the development plan.
44. For the above reasons, the appeal should be dismissed.

Timothy Parton

INSPECTOR