



Appeal Decision

Site visit made on 12 March 2025

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 March 2025

Appeal Ref: APP/Y3615/D/24/3345827

Tower Hill Manor, Towerhill, Gomshall, Surrey GU5 9LP

- 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 Mr & Mrs Crittall against the decision of Guildford Borough Council.
 - The application Ref is 24/P/00577.
 - The development proposed is the erection of a WildKitchen.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a WildKitchen at Tower Hill Manor, Towerhill, Gomshall, Surrey GU5 9LP in accordance with the terms of the application Ref 24/P/00577, subject to the following condition:
 - 1) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Tower Hill Manor.

Preliminary Matters

2. The development has been constructed and therefore I am considering this appeal retrospectively.

Main Issues

3. The main issue is whether the development is inappropriate development in the Green Belt, having regard to the National Planning Policy Framework and any relevant development plan policies.

Reasons

Whether inappropriate development

4. Policy P2 of the Guildford Borough Local Plan: Strategy and Sites (2019) broadly conforms to the general thrust of national Green Belt policy, setting out that development will be supported where it is compatible with national policies for protecting the Green Belt. Paragraph 153 of the National Planning Policy Framework (the Framework) sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved 'except in very special circumstances'.
5. There are, however, certain exceptions. Detached structures and buildings are not explicitly cited within the exceptions included at paragraph 154. Nevertheless, the appellant argues that the development should be considered against paragraph

154(c). This allows ‘the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building’. Noting caselaw¹, whether the development falls under this exception is a question of fact and planning judgement for the decision maker, and is case specific.

6. Although detached, the development is positioned within the well-defined, domestic setting of Tower Hill Manor. It is positioned near to a series of established extensions and outbuildings, including a pool house and lies approximately 34 metres away from the main house at its closet point. From the evidence before me and my observations on site, the domestic nature (and setting) of the development, its relative proximity to the main house (and other buildings) in this expansive plot, and its clear association with the main house is such that it could reasonably be considered as an extension for the purposes of paragraph 154(c).
7. The Framework defines the original building as a building as it existed on 1 July 1948. The evidence before me demonstrates that several additions have taken place to the original building over time, in particular the pool house. However, the Framework does not provide a definition of ‘disproportionate additions’. Nevertheless, there is no dispute between the parties in respect of whether the development is disproportionate. Based on the evidence before me, and taking into account the substantial scale of the historic main house and the limited scale of the development, I have no reason to disagree. The development could therefore reasonably be described as a proportionate addition to the original building.
8. Overall, I conclude that the development is not inappropriate development in the Green Belt. The development therefore accords with paragraph 154 of the Framework and the relevant provisions of Policy P2 of the Guildford Borough Local Plan: Strategy and Sites (2019) which, in summary, seeks to protect the Green Belt from inappropriate development.

Other Matters

9. The development is located within the wider surroundings of a Grade II listed building, Tower Hill Manor. Mindful of the statutory duty set out in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have had special regard to the desirability of preserving its setting. The historic grounds of the asset form the asset’s immediate setting, and this positively contributes to its significance. Nevertheless, given the location and extent of the development, I consider that it preserves the setting of the listed building and the contribution it makes to its significance. I note the Council had no concerns in this regard either.

Conditions

10. As the development has already started, the standard time limit and approved plans conditions are not required. However, I have imposed a condition restricting the use of the development for purposes ancillary to the residential use of the dwelling (Tower Hill Manor). This is for certainty and to ensure that the development is used as proposed and assessed above.

¹ Warwickshire DC v SSLUHC, Mr J Storer & Mrs A Lowe

Conclusion

11. For the above reasons, having had regard to all matters raised, I conclude that the development accords with the development plan as a whole and therefore the appeal should be allowed.

A Price

INSPECTOR