



Appeal Decision

Site visit made on 1 April 2025

by **Lynne Evans BA MA MRTPI MRICS**

an Inspector appointed by the Secretary of State

Decision date: 9 April 2025

Appeal Ref: APP/C3620/D/25/3359224

Woodcote, Mill Lane, Newdigate, Surrey RH5 5AL

- 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 Vinogradov against the decision of Mole Valley District Council.
 - The application Ref is MO/2024/1482/PLAH
 - The development proposed is erection of 3 bay garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - Whether the development would be inappropriate development within the Green Belt and its effect on openness,
 - The effect of the proposed development on the character and appearance of the local area, and
 - If the development would be inappropriate, whether the harm, by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations. If so, would this amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

3. The appeal property is a detached residential dwelling and set within a generous plot. It lies on the east side of Mill Lane, which is an unmade road serving a number of scattered individual dwellings mainly within a woodland setting. The site lies within the Green Belt and outside of any defined settlement.
4. The proposal is for a detached 3 bay garage set in front of the main dwelling and close to the northern boundary of the site. The three bays would be open fronted with weatherboarded side and rear walls under a clay tiled, barn-hipped roof.
5. Paragraph 154 of the Framework sets out that the construction of new buildings in the Green Belt is inappropriate except for a limited number of exceptions including the extension or alteration of a building providing that it does not result in

disproportionate additions over and above the size of the original building. The term 'disproportionate' is not further defined.

6. The Council has also referred to Policy EN1 of its Mole Valley Local Plan (October 2024) (Local Plan) which broadly follows national policy in confirming the protection of the Green Belt from inappropriate development and setting out forms of development which would not be regarded as inappropriate development. This includes under a) the extension or alteration of an existing building, including ancillary buildings within the curtilage, providing it does not result in disproportionate additions over and above the size of the original building. The term 'disproportionate' is not further defined within the policy but the supporting text refers to both a quantitative and qualitative assessment.
7. The Council has considered the proposed garage, given its physical and functional relationship with the main house would fall to be considered as an extension to the existing dwelling and therefore fall to be considered under Section a) of the above policy. I have no reason to take a different view.
8. The Council has calculated that the floorspace of the existing dwelling is approximately 117sqm and the proposed garage with a floorspace of some 55.5sqm would result in a 47% addition compared with the existing building, reducing to a 42% increase if the existing garage and adjacent shed are included. This is more floorspace for the existing property than set out by the Appellant and therefore on the basis of the Appellant's figures, the percentage uplift would be greater.
9. In addition to the numerical percentage increase in floorspace, the footprint of the garage building would be only a little smaller than the footprint of the existing house. Although it would not be as high as the main house, it would still be a sizeable addition in relation to the scale and proportions of the existing house, and in a prominent location forward of the main property.
10. Taking all of these factors into account and having regard to both Policy EN1 of the Local Plan as well as the Framework, it is my view that the proposed development would be a disproportionate addition to the original house and would therefore be inappropriate development.
11. The additional bulk and massing of the proposed garage would also harm the openness of the Green Belt, in both spatial and visual terms, through the introduction of new built form as proposed.

Character and appearance

12. The proposal would be a prominent addition to the site both in terms of its size and bulk and massing as well as its siting forward of the main property. The existing dwelling is of modest proportions and set back from the frontage and this proposal would add significantly to the amount of built development on the site and its prominence in views along Mill Lane.
13. Although the materials, taken in isolation, would be acceptable for this rural location, these would not outweigh the impact of the scale, massing and siting of the proposed building and its resultant harm to the rural character and appearance of the local area.

14. I therefore conclude that the proposal would harm the rural character and appearance of the local area. This would conflict with Policy EN4 of the Local Plan and the Framework, including Sections 12 and 15, all of which amongst other matters seek a high quality of design which respects the local context, including the intrinsic beauty and character of the countryside.

Other Considerations

15. I am aware that this proposal follows on from an earlier refusal for a four bay garage with residential ancillary accommodation over, under the Council's ref: MO/2023/1456. Whilst the proposal before me has sought to overcome the Council's concerns with the earlier proposal, my decision is based on the planning merits of the proposal before me. No weight in support of the proposal is therefore added in this respect.
16. The Appellant has referred to the limitations of the existing property and the need to provide for modern day family needs as well as to enable the parking of cars given the location of the site and need for car ownership. However, there is nothing before me to indicate why these requirements could not be met in a less obtrusive and harmful way, given the large size of the plot, even taking into account the existing access point and the positioning of remaining trees, particularly to the rear of the building.
17. The Appellant has also suggested that there are a number of permitted development extensions which are under consideration but there is no further information before me with regard to these and how they would affect my considerations in this case. It is also not clear to me what is implied that in granting permission now would mitigate the future need for overdevelopment and harm to the local area. I am therefore unable to give them weight in support of this proposal.
18. I noted that a hedge has been planted along the front boundary and it is intended that this would screen views of the garage. Given its recent planting, the extent to which it would achieve the stated objective is not yet known and vegetation can rarely be relied upon as a permanent feature in the street scene. Furthermore, and whilst I have no reason to dispute the Appellant's intention to grow and maintain the hedge, the position would endure for future owners and occupiers, who might not adopt the same approach. I can therefore only give this limited weight in support of the proposal.
19. The Appellant has set out that the proposal would enable the removal of the existing dilapidated shed. However, this on its own would not outweigh the impact of the much larger proposal the subject of this appeal and therefore attracts very limited weight in support.
20. I have noted that the Appellant's view that this would be a sustainable development particularly in terms of materials, but no objection is raised to the proposed materials taken on their own.

Conclusion

21. The proposal would be inappropriate development within the Green Belt and would harm openness and the character and appearance of the local area. In accordance with the Framework, substantial weight should be given to any harm to the Green Belt and any other harm. Even taken together, the other considerations put forward

provide little support for the scheme. Therefore, they do not outweigh the harm to the Green Belt and 'very special circumstances' do not exist. Therefore, the proposed extension would not accord with the development plan and there are no other material considerations to outweigh that finding.

22. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR