



Appeal Decision

Site visit made on 1 May 2025

by **A Price BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 MAY 2025

Appeal Ref: APP/Y3615/D/24/3356387

Wychanger Cottage, Hook Lane, Shere, Surrey GU5 9QQ

- 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 John Sage against the decision of Guildford Borough Council.
 - The application Ref is 24/P/01089.
 - The development proposed is described on the application form as 'replacement garage (re-submission of application ref: 22/P/01551)'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; and
 - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.

Reasons

Whether inappropriate development

3. The appeal site lies within the Green Belt. Policy P2 of the Guildford Borough Local Plan: Strategy and Sites (LP) 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 Framework sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved 'except in very special circumstances'.
4. There are, however, certain exceptions. One of those exceptions, at paragraph 154 (d) is the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
5. I accept that the proposed building would be in the same residential use as the existing building and in a similar position. However, the replacement building would measure a total of 42sqm compared with the existing 25sqm. The size of the replacement building would undoubtedly be larger than that which it is

proposing to replace. The extent of this increase, to my mind, equates to 'materially larger' using the terms in the development plan.

6. I accept that the proposed building has been reduced in scale and floor area since the previously refused scheme (previously measuring a total of 77sqm). Nevertheless, I am assessing the scheme against the development plan, not against previous schemes at the same site.
7. Overall, I conclude that the proposed development is inappropriate development in the Green Belt, which is, by definition, harmful. Substantial weight should be given to this harm. The proposed development is therefore contrary to the relevant provisions of LP Policy P2, which in summary seeks to protect the Green Belt from inappropriate development. This is in a similar vein to the provisions of the Green Belt Supplementary Planning Document.

Openness

8. The Framework indicates that openness is an essential characteristic of the Green Belt and a fundamental aim of Green Belt policy is to keep land permanently open. The openness of the Green Belt has a spatial as well as a visual aspect. 'Open' can mean the absence of development in spatial terms, and it follows that openness can be harmed even when development is not readily visible from the public realm.
9. Intervening features in the landscape, including mature vegetation, mean there is relatively limited visibility of the site from the surrounding area. Nevertheless, some views of the site are visible from Hook Lane and from nearby private vantage points. Moreover, the openness of the Green Belt is readily apparent within the immediate area through the existence of mature trees and surrounding open fields.
10. I accept that the proposed development has been designed with sensitivity to prevailing building forms, materials and detailing and would be balanced with the demolition of the existing derelict garage building. However, it would nonetheless result in a greater extent of built volume and massing, including in areas where this does not currently exist. This would inevitably lead to a loss of openness, both physically and visually.
11. Consequently, the proposed development would cause harm to the openness of the Green Belt, albeit this would be to a limited extent by reason of the mitigating factors set out above. This weighs somewhat against the proposal.

Other considerations

12. The Framework is clear that substantial weight should be given to any harm to the Green Belt, including harm to its openness. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the development, is clearly outweighed by other considerations.
13. I accept that the scheme would meet some other planning policy requirements, including in respect of living conditions and biodiversity, and would include biodiversity enhancement features. I also note that no objections were received from consultees or neighbours. However, these matters are effectively neutral in my determination of the appeal. I afford them limited weight.

Green Belt Balance

14. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be allowed except in very special circumstances. In addition, there are impacts on openness here. Substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations.
15. Cumulatively, I attach no more than limited weight to the benefits of the proposed development which make up the other considerations. As such, the other considerations do not clearly outweigh the harm to the Green Belt.
16. Consequently, the very special circumstances necessary to justify the development in the Green Belt do not exist. The proposed development would therefore not accord with the Green Belt aims of LP Policy P2, or the Framework, as set out above.

Conclusion

17. For the reasons given above, having considered the development plan as a whole, and all other relevant material considerations, the appeal should be dismissed.

A Price

INSPECTOR