



Appeal Decision

Site visit made on 2 June 2025

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 JUNE 2025

Appeal A Ref: APP/R3650/D/24/3357767

Tanglewood, Pickhurst Road, Chiddingfold, Godalming, Surrey GU8 4YD

- 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 Tristan Clark against the decision of Waverley Borough Council.
 - The application Ref is WA/2024/01503.
 - The development proposed is the erection of detached double garage following demolition of existing garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The revised National Planning Policy Framework (the Framework) was published on 12 December 2024. The main parties were invited to provide comments on this matter and the comments received have been taken into account in my determination of the appeal.
3. The other appeal on the site regarding the variation of condition 2 of planning permission WA/2019/0189 (Appeal Ref: APP/R3650/D/25/3361743) is the subject of a separate decision.

Main Issues

4. The main issues 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;
 - the effect of the proposal on the openness of the Green Belt; 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 proposal.

Reasons

Whether inappropriate development

5. The appeal site is located within the Green Belt. The Government attaches great importance to Green Belts. The Framework states that the construction of new buildings in the Green Belt should be regarded as inappropriate. Policy RE2 of the

Waverley Borough Local Plan Part 1 (WLP1): Strategic Policies and Sites (2018) states that the Green Belt will be protected against inappropriate development unless development meets with the exceptions listed in national planning policy.

6. Paragraph 154d) of the Framework establishes that the replacement of a building is not inappropriate in the Green Belt provided that the new building is in the same use and not materially larger than the one it replaces. Paragraph 154c) of the Framework sets out that the extension or alteration of a building is not inappropriate in the Green Belt provided that it does not result in disproportionate additions over and above the size of the original building.
7. Policy DM14 of the Waverley Borough Local Plan Part 2 (WLP2): Site Allocations and Development Management Policies (2023) builds on the Framework and on WLP1 Policy RE2. It explains that for development outside of defined settlement boundaries, the replacement of a building which results in the new building having a floorspace that is 10% or more larger than the building it replaced will normally be considered materially larger. Extensions or alterations which would increase floorspace by 40% or more over that of the original building will normally be considered to be disproportionate
8. The parties agree that, although in the same use, the proposed garage would be materially larger than the building it would replace and would represent inappropriate development in the Green Belt. Based on the evidence before me, I see no reason to disagree.
9. The appellant draws my attention to case law¹ which establishes that in considering whether an outbuilding could be an extension, it is reasonable to take into account whether the proposal is a normal domestic adjunct. I note that this approach was followed by the Inspector in determining the appeal at Tresco House².
10. Even if I were to consider the proposal as a normal domestic adjunct and, for the purposes of paragraph 154c) of the Framework, as an extension to the building, the host has already been extended in floor space by some 83% over and above the original dwelling, which is more than the percentage increase set out within WLP2 Policy DM14. This figure is not disputed by the appellant.
11. The single storey garage, while subservient to its host, would nonetheless be a sizeable structure. While it would not spread development into an open area of land forming part of the countryside, its size and scale would substantially increase the amount of built form across the plot. Therefore, taken together with the previous extensions to the host dwelling, the proposal would be a disproportionate addition and would not meet the exception under paragraph 154c) of the Framework.
12. Further, I have no substantive evidence to indicate that any of the other exceptions set out in paragraph 154 of the Framework would be met.
13. Paragraph 155 of the Framework defines grey belt as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes a), b), or d) in paragraph 143. The

¹ Sevenoaks District Council v SSE and Dawes [1997]; Warwickshire DC v SoS for Levelling Up, Housing and Communities and Storer and Lowe [2022]

² Appeal Ref: APP/D3640/D/22/3294548

appellant asserts that the land is Grey Belt. However, even if I were to agree that it meets the definition of Grey Belt land, in order for the development of homes and other development to not be regarded as inappropriate, paragraph 155 of the Framework sets out that all parts of the paragraph need to apply.

14. Criterion b) requires that there is a demonstrable unmet need for the type of development proposed. The proposal would respond to the personal circumstances of the appellant, by providing a garage for vehicle parking and storage. That is, however, largely a matter of personal preference. There is a generous driveway on site and there is limited evidence before me to suggest that the existing outbuildings would not provide sufficient storage for tools and bicycles. As such, on the evidence before me, there is no demonstrable unmet need for the type of development under consideration. Therefore, the proposal would not meet criterion b) set out in paragraph 155 of the Framework.
15. Furthermore, criterion c) sets out that the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework. However, it is not obvious that the development would be in a sustainable location. Accordingly, given that all the relevant criteria of paragraph 155 of the Framework have not been met, the proposal would not accord with this exception.
16. Given the above, the proposal would be inappropriate development in the Green Belt which is, by definition, harmful. The proposal would conflict with the Framework; with WLP1 Policy RE2 and WLP2 Policy DM14 insofar as these policies seek to restrict development in the Green Belt in accordance with the Framework.

Openness

17. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The matters relevant to openness are a matter of planning judgement, and the openness of the Green Belt has a spatial aspect as well as a visual aspect.
18. The appeal site forms part of a small ribbon of development that fronts Pickhurst Road. The dwellings are typically detached, set in generous plots, and surrounded by countryside. The appeal site is large, and the dwelling has generous gaps towards the plot boundaries. There is a detached garage located near the side boundary of the plot. This is a small, low-key building of a utilitarian design which allows for views to the open countryside beyond through the gap between the dwelling and the side boundary of the plot.
19. The existing garage would be demolished, and the proposed garage would be located between the dwelling and the side boundary. The proposal, given its scale, mass and height, would occupy most of the gap between the dwelling and the side boundary, thereby resulting in a spatial loss of openness to the detriment of the Green Belt.
20. The substantial increase in the bulk of built development would result in a significant visual impact. In contrast to the existing unassuming garage, the proposal would be markedly large with a strikingly different visual presence.

21. Despite its set back from the front boundary, the proposal would be noticeable from the road through the site access and across the frontage of the neighbouring property. Viewed from the front, or on approach along the road, the increased bulk to the side of the dwelling would be apparent. Furthermore, the proposal would erode views across the site to the countryside beyond. As such, while the garage would likely reduce the number of cars parked within the frontage of the property and the level of activity and traffic generated by the site would remain similar, the proposal would nevertheless harm the visual aspect of openness because of its size and siting.
22. Consequently, there would be a moderate harmful loss of openness of the Green Belt in this location. The Framework is clear that substantial weight should be given to any harm to the Green Belt.

Other considerations

23. The supporting text to WLP2 Policy DM14 sets out that new domestic garages and other ancillary outbuildings requiring express planning permission are generally inappropriate in the Green Belt, unless they fall within one of the categories of development that is not inappropriate, as set out in the Framework.
24. Therefore, the Council must be satisfied that very special circumstances exist to justify new outbuildings that do not meet these exceptions. In assessing this, regard will be had to the essential needs of householders for garaging, storage and facilities incidental to the enjoyment of their dwelling. Any new or enlarged outbuildings must be designed to be clearly subordinate to their host dwelling and not appear intrusive in the landscape.
25. The existing dwelling has four bedrooms which, in accordance with the Surrey County Council Vehicular and Cycle Parking Guidance 2018 should be provided with two parking spaces. Where space permits, it may be appropriate to consider increased provision. While the size of the existing garage is insufficient to accommodate vehicle parking, the property benefits from a generous area of hardstanding across its frontage which would accommodate at least two vehicles as the proposed garage.
26. Whereas the existing garage is modest in size, there is no robust evidence before me to demonstrate that this outbuilding is insufficient to provide adequate storage for tools, equipment associated with the upkeep of the garden and house, and bicycles. Furthermore, there is an existing shed, which also provides some space for storage.
27. The proposal may be no larger than functionally required by the appellant, however the desire to park vehicles within a weatherproof and secure garage are largely private benefits. This matter therefore carries very limited weight.
28. Whilst the proposal would be subordinate to its host and would not appear intrusive in the landscape, there is limited evidence before me to demonstrate that the essential needs of the household are not being met by the current set up, for the reasons set out above. Accordingly, I afford this matter limited weight in my decision.
29. I have had regard to the appellant's claim that the proposed garage would accord with the conditions and limitations of Schedule 2, Part 1, Class E of the Town and

Country Planning (General Permitted Development) (England) Order 2015 (as amended). However, the property does not have permitted development rights for this type of development and the proposal must be assessed against the relevant development plan policies. Further, compliance with permitted development guidance does not guarantee compliance with local development plan policies. Consequently, this matter carries limited weight in favour of the scheme.

30. My attention is drawn to a replacement garage at The Hollies, where an appeal³ was allowed for a detached garage. However, I have not been provided with the full details of this case and therefore I cannot be satisfied that its circumstances and effects were similar to the appeal scheme before me. In any event, in this case the Inspector found that the proposal before them would cause limited harm to the visual and spatial openness of the Green Belt, which is not my conclusion here. This example therefore carries limited weight.
31. Reference is made to other planning permissions granted by the Council where the construction of garages was considered acceptable on the basis of very special circumstances. However, I do not have full details of the circumstances that led to these proposals being accepted. Consequently, I cannot conclude that they represent a direct parallel to the appeal proposal. As such, this matter carries very limited weight.

Other Matters

32. The appeal site is located within the Surrey Hills National Landscape (NL) and within an Area of Greater Landscape Value. The Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty within NLs, which have the highest status of protection in relation to these issues. Additionally, Section 85 of the Countryside and Rights of Way Act 2000 (as amended by section 245 of the Levelling Up and Regeneration Act 2023) places a duty upon me to seek to further the statutory purpose of the NLs, which is to protect and enhance their natural beauty.
33. The Surrey Hills Management Plan (2020 – 2025) sets out that the NL is an intriguingly diverse landscape characterised by areas of woodland, hills and valleys, traditional mixed farming, a patchwork of chalk grassland and heathland, sunken lanes, picturesque villages, and market towns. The Council is satisfied that the proposal would not harm the NL, given its design, materials and scale. Based on the evidence before me, I see no reason to disagree.
34. I understand that the proposal follows previous planning applications which were refused by the Council. Whereas it may be that the size of the garage has been reduced and the design has changed, as set out above, I find that the proposal would be harmful to the Green Belt in its own right.

Green Belt Balance

35. The Framework sets out that very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

³ Appeal Ref: APP/R3650/D/23/3334477

36. The appeal scheme would be inappropriate development that would, by definition, harm the Green Belt. There would be loss of openness. The Framework requires that substantial weight is given to any harm to the Green Belt and any other harm. Having carefully examined the other considerations advanced in support of the appeal, very special circumstances to justify the proposal's harm to the Green Belt, by reason of inappropriateness, and any other harm, do not exist.

Conclusion

37. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

P Terceiro

INSPECTOR