



Appeal Decision

Site visit made on 16 July 2025

by **G Ellis BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31 July 2025

Appeal Ref: APP/Y3615/D/25/3362364

Hunts Hill House, Hunts Hill Road, Normandy, Guildford GU3 2AH

- 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 Mrs K Woodcock against the decision of Guildford Borough Council.
 - The application Ref is 24/P/01027.
 - The development proposed is the erection of an ancillary outbuilding following demolition of existing outbuildings.
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Decision

1. The appeal is dismissed.

Main Issues

2. 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 on the openness of the Green Belt;
- the effect of the proposed development on the character and appearance of the area;
- the relationship with the host property and whether it would be ancillary; and
- on the basis that the proposal would be inappropriate development in the Green Belt, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to very special circumstances required to justify the development.

Reasons

3. The proposal is for a detached outbuilding which is set some distance back from the rear of the host property and would replace a group of buildings, a garage and timber stable-type buildings located at the end of the existing driveway. Additionally, two other buildings located elsewhere on the property are proposed for removal.
4. The proposed building with a footprint of 188m² and a volume of 625m³ is to accommodate vehicle parking, a gym, games room/seating area, storage and a

shower room. The appellant advises that the buildings for demolition would have a total floor area of 204m² and a volume of 650m³.

Inappropriate Development

5. The Framework establishes that development within the Green Belt should be regarded as inappropriate unless one of the specified exceptions applies. The Council and the Appellant have referred to a number of the exceptions under paragraph 154, including c), d) and g). Policy P2 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 (LPSS) requires the approach in the Framework to be applied.

Exception c – extension and alterations

6. Exception (c), as set out in paragraph 154 of the Framework, allows for the extension and alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building.
7. The Council indicate that if the proposed outbuilding were treated as an extension to the original building, the host property, there would be a cumulative increase of 240.8%. The appellant suggests that this figure does not take into account the single garage being pre-1948, although this would not fundamentally alter the level of the increase. The various additions together with the proposed development would be disproportionate additions over and above the size of the original building, and therefore, the proposal does not accord with this exception.
8. As it does not comply with the size element, I have not given further consideration as to whether the proposed building should be considered as an extension. A comparison is made to the existing situation, which I will return to later; however, this does not alter the assessment in relation to this exception, which relates to the original building.

Exception d – replacement building

9. This allows for the replacement of a building, provided that it is in the same use and not materially larger. Both parties agree that the proposal would be substantially larger than any single building being replaced. I concur with this position; therefore, the proposal would not fall within this exception.

Exception g) - limited infilling or the partial or complete redevelopment of previously developed land

10. Firstly, it is necessary to establish if the location of the development constitutes previously developed land (PDL), which is a matter of dispute between the parties.
11. In accordance with the definition of PDL, as set out in the glossary to the Framework, '*land in built-up areas such as residential gardens*' is excluded. The Council's Green Belt Supplementary Planning Document – November 2023 (GB SPD) provides further guidance and notes the differential approach taken within and outside built-up areas. The Council, whilst finding that the residential garden is excluded from PDL, do not indicate if the site is within a built-up area, but do refer to the site being surrounded by woodland. From my observations, while there are other residential properties along Hunts Hill Road, it is sporadic development within the countryside and not a built-up area. As such, the garden to the property would be classed as PDL.

12. However, the site of the proposed building extends beyond the area of the existing buildings into part of the paddock. While land used for the keeping of horses is not agricultural and therefore not necessarily excluded from being PDL, the paddock is an open field surrounded by trees. With reference to the planning history, the Council advises that the garage building, to be removed, was designed to include storage for equipment to manage the land, and that the stable building, noted on the plans as a gym, would also be removed. These buildings are situated outside the paddock, which is delineated by fencing. The bund and tennis court also form a physical and visual transition between the domestic and landscaped garden area around the house and the open paddock to the north.
13. As such, I do not find that the entire site of the proposed development is within the residential garden to constitute PDL, and thereby it does not fall within the possibilities of this exception.
14. Reference has also been made to exception H (ii) – *engineering operations*, although this would only relate to small elements of the proposal and not the development as a whole and therefore does not assist.
15. In conclusion, the proposed development does not fall within any of the identified exceptions and accordingly would be an inappropriate development in the Green Belt. The development would thereby conflict with LPSS policy P2, the GB SPD and the Framework, which seek to protect the Green Belt from inappropriate development.

Openness

16. The Framework explains that the essential characteristics of the Green Belt are its openness and its permanence. There is no definition of 'openness', but it is commonly taken to have both spatial and visual aspects, and it is a matter of judgement.
17. The proposed building would have a large footprint, extending approximately 16m in width and 17m in depth. It would be a single-storey structure but would have a large roofscape and utilise the significant change in ground levels. This would result in a substantial bulk and visual massing, and the proposed west wing would increase the spatial extent of the built form into currently open land. It would be distinctly greater in scale and height compared to the existing buildings being directly replaced, which are low-profile timber buildings, and whilst the garage has a first-floor level, it has a fully hipped pitched roof.
18. The other two buildings for removal are not prominent and are relatively small domestic features which are integrated into the garden setting. The single garage (denoted as Building 2 on Plan 842/SO100) is located within a treed area close to the south boundary and is an old building with a dilapidated roof. Building 4 is a garden cabin which sits alongside the house.
19. In contrast, the proposed building, along with the associated features, which include decking, staircases, a sunken garden and retaining walls, would have a notable presence and would be a substantial development.
20. Due to the surrounding trees, visibility of the property from the road is limited. However, given its scale and location, which is in an elevated position compared to

the house, the proposed building would be visible from along the driveway, and there would be intervisibility with the existing house.

21. Therefore, given its scale, massing, and prominence, I find that the proposed development would result in a loss of openness, which adds to the harm to the Green Belt.

Character and Appearance

22. Hunts Hill House has large grounds which would accommodate the building. The proposed outbuilding would have a barn-like form, and having regard to the rural character of the area and the proposed location adjacent to the paddock, the general design would be appropriate for the setting. It would be a high-quality, attractive building, and the materials and style would harmonise with the existing property.
23. Due to the character of the area, there is no visual or general appreciation of the size of the other properties in the area in comparison to each other, and the matter of having an ancillary relationship is in relation to the host property.
24. I therefore find that the proposal would not be out of keeping with the character and appearance of the area and would comply with LPSS policy D1 and policy D4 of the Development Management Policies (March 2023) (LPDMP), which promote high-quality design that responds to distinctive local character.

Relationship with the host property and ancillary use

25. The appellant explains that the building is intended to provide ancillary facilities. It would, nonetheless, be of a substantial size, and given its detachment, the fork to the driveway, and the two access points, the Council's concerns in relation to the potential for it to be occupied independently are understandable.
26. I am, however, mindful of the judgment in *Uttlesford DC v SSE & White* [1992], as referenced by the appellant, that even if the accommodation provides facilities for independent day-to-day living, it would not necessarily become a separate planning unit. The appellant has also referred to a number of other Council decisions in relation to annexes, although, as the caselaw denotes, it is a matter of fact and degree, and therefore an assessment is required in relation to each individual case.
27. Whilst acknowledging that the outbuilding is not directly described as an 'annexe' and there is no reference to it providing additional accommodation for a family member, section 3 of policy H4¹ provides useful criteria for consideration, and as an 'extension' the rest of the policy requires consideration of the relationship with the existing building.
28. The footprint of the proposed building would not be dissimilar to that of the main house, which itself has been extended, and in my view, the proposed building, while not of the same height, is not of a subordinate scale. For a large property in the countryside, the proposed uses are not exceptional and could be functionally related to the property, and the plans do not indicate any bedroom or kitchen facilities. The layout of the driveway is the existing situation, and garaging is currently sited in the location of the proposed building. There is also the potential for the imposition of a condition restricting the use to that of Hunts Hill House.

¹ Local Plan Development Management Policies (March 2023)

29. I also recognise that this proposal was submitted as a householder application. However, as noted above, the extent of the proposal would also extend into the paddock area. While not directly identified as a reason for refusal, the Council do raise concerns that the proposal results in an encroachment into the Countryside, which the appellant notes² and no evidence is provided to counter this position. The proposal would therefore appear to extend the residential curtilage and therefore goes beyond a householder ancillary use.
30. Notwithstanding this matter, I find that the scale and form of the outbuilding would be disproportionate to the host property. It would therefore fail to accord with LPDMP policy H4, which requires a residential annexe to be subordinate to the main residence and for extensions to respect the form, scale and height and proportions of the existing building. There would also be conflict with the Residential Extensions and Alterations SPD in that regard, which also guides extensions to respect the original scale and mass of the dwelling.
31. The Council also cite conflict with the Framework, but they do not refer to any particular paragraphs, and I agree with the appellant that the Framework does not contain any specific policies in relation to residential outbuildings or annexe facilities.

Other Considerations

32. Based on the measurements provided, there would be a small reduction in the overall footprint and volume of the built form as a result of the development through the proposed demolition. However, having regard to the totality of the form and visual impact of the development compared to the existing situation, I do not find that there would be an improvement to openness, nor do the existing buildings detract from the character of the site or wider area to result in a significant betterment. The Council also advises that there is no planning history for Building 4. Whilst the appellant refers to all the existing buildings being in situ for a sufficient time to be lawful, there is no specific evidence before me, and therefore, it reduces the weight I can give to this matter.
33. The new building would allow for energy efficiency measures to be incorporated, although no specific details have been provided, nor is there anything to suggest the provision would go beyond policy requirements.
34. As a listed building, permitted development rights are restricted and thereby do not provide an opportunity to provide outbuildings through this alternative provision. This is the case for all listed buildings, not just those within the Green Belt, and does not necessarily preclude development, but a planning application is required. Whilst this does not enable a PD fallback, the Green Belt exceptions do allow for replacement buildings and extensions, within size limitations.
35. It is acknowledged, and noting the caselaw referenced by the appellant, that to amount to very special circumstances, these other considerations do not have to be rare or unusual and can result from a combination of factors together.

Other Matters

36. Hunts Hill House is a Grade II Listed Building. The Council do not raise any specific heritage concerns, and it is duly noted that listed building consent has been granted

² Appellant's appeal statement paragraph 7.59 in relation to Green Belt exception 154g,

for the proposed works. It is also acknowledged that no concerns are raised in relation to amenity issues, parking or highways.

37. The appellant makes reference to a number of inconsistencies with the Council's considerations as set out in the officer's report and the format of the reasons for refusal. I have, nonetheless, had regard to the various matters raised and all the evidence before me, and I have considered the proposal against the development plan.

Green Belt Balance and Conclusion

38. The proposal would constitute inappropriate development in the Green Belt, having found that it does not fall within any of the exceptions. There would also be additional harm from the loss of openness. Thereby, there would be a conflict with the Framework and LPSS policy P2. In accordance with paragraph 153 of the Framework, substantial weight is to be given to any harm to the Green Belt. I have also found conflict with policy H4 with regard to the scale of the development in relation to the host property.
39. Conversely, the proposal would be a high-quality building which would incorporate energy-efficient measures, the barn-like appearance would have regard to the character of the area, and there would be no direct harm to the heritage asset. These are, however, primarily neutral factors, as compliance with other policies is to be expected. Therefore, despite having regard collectively to the other considerations put forward, they fail to clearly outweigh the harm to the Green Belt. Accordingly, the very special circumstances necessary to justify the development do not exist.
40. Therefore, the appeal is dismissed.

G Ellis

INSPECTOR