



Appeal Decision

Site visit made on 15 July 2025

by **V Goldberg BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14th August 2025

Appeal Ref: APP/L3625/W/25/3359614

Courtlands Farm Bungalow, Park Road, Banstead, Surrey SM7 3EF

- 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 Duncan and Jennifer Rogers against the decision of Reigate and Banstead Borough Council.
 - The application Ref is 24/01835/F.
 - The development proposed is the change of use of land to garden and the erection of two outbuildings to be used as a store and gym (part retrospective).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form states the change of use commenced on the 21st August 2024. During my visit, I noted that the base of both outbuildings had been erected. Given that the buildings were incomplete, I have considered the appeal based on the plans before me.

Main Issues

3. The appeal site is within the Green Belt, so the main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to any relevant development plan policies and the Framework;
 - the effect of the proposal on openness 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

4. The site is located within the Green Belt. Paragraph 153 of the Framework sets out that substantial weight should be given to any harm to the Green Belt, and that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 of the Framework states development in the Green Belt is inappropriate unless exceptions apply. One of these exceptions is the extension or alteration of a

building, provided it does not result in disproportionate additions over and above the size of the original building.

5. Policy NHE5 of the Reigate and Banstead Local Plan Development Management Plan¹ (Local Plan) aligns with the Framework. It details that extensions to buildings in the Green Belt will be permitted provided they, in combination with any other additions, would not be disproportionate compared to the original building (being that as originally built, or as existed on 1 July 1948).
6. The proposed buildings can be considered as extensions to the property given their appearance, scale, position and relationship to the host dwelling. Therefore, as detailed in Policy NHE5, it is necessary to establish whether the buildings, in combination with any other additions, would be disproportionate to the original dwelling in terms of floor area, massing, bulk, height and visual prominence.
7. Reference is made to historic plans which illustrate the form of the original property. These drawings denote that the property has been substantially extended as it benefits from two side extensions, a rear extension, porch, multiple dormers and alterations to the roof. These additions have significantly increased the floor area and volume of the original property.
8. Whilst the appellant advises they were not privy to the historic plans, figures 7 and 8 in the appellants statement show that between the 1938 and current OS map, the floor area of the property significantly increased and changed in shape. This is because the 1938 OS map shows a rectangular building whereas the current OS map shows additions to each elevation. The Council estimate this to be a 200% increase in floor area. Whilst this figure is disputed, and there is no definition of 'disproportionate additions', the evidence before me suggests that the additions, have significantly increased both the floor area and volume of the original building. As a result, despite the proposed buildings being modest in size and subservient to the dwelling, they would further increase the floor area, mass and visual prominence of the property. Therefore, in combination with the existing extensions they would result in disproportionate additions to the original dwelling.
9. Even based on the appellants figure of the existing additions to the property equating to a 97.6% increase in floorspace, the two proposed buildings would in my view result in disproportionate additions, in combination with the existing extensions.
10. With reference to the proposed change of use, given that the land is open and undeveloped, and the appellant would be willing to have permitted development rights removed, the change of use would preserve the openness of the Green Belt.
11. For the reasons above, the proposal does not fall within the exceptions to inappropriate development listed in Policy NHE5 of the Local Plan or the Framework. It would therefore comprise inappropriate development in the Green Belt.

¹ Adopted September 2019

Openness

12. Openness is identified in the Framework as one of the Green Belt's essential characteristics, it has spatial and visual aspects. In terms of the spatial impact, the proposal would result in a modest increase in built form on site. With reference to visual impact, despite being adjacent to the dwelling and single storey, the proposed buildings would be visible from the front of the plot and would extend the built form either side of the property. This would erode the spacious setting of the dwelling and adversely impact the visual openness of the Green Belt. The proposed development would therefore have a greater impact on the openness of the Green Belt than the existing development on site, resulting in harm to it.

Other Considerations

13. Whilst the property benefits from permitted development rights, the limited curtilage and small rear garden would prevent outbuildings of a commensurate size from being erected. As a result, buildings erected within permitted development tolerances would have less impact on the openness of the Green Belt compared to the appeal scheme. Therefore, permitted development tolerances would not justify the proposal.
14. Reference is made to the fallback position of a replacement dwelling granted planning permission². Whilst a larger dwelling on this plot was considered acceptable, the specific planning, and policy considerations behind this application are not before me. In any event, this permission was granted in May 2022, and appears to have lapsed. Accordingly, there is insufficient evidence before me that there is a real prospect that this scheme will be implemented, therefore, I am unable to ascribe weight to it in my decision.
15. A lawful development certificate (21/02210/PDE) has been granted for a rear extension. This would have a smaller footprint than both proposed outbuildings. In addition, due to being positioned to the rear of the dwelling it would have less impact on the visual openness of the Green Belt, compared to the appeal scheme. Accordingly, it would not justify the proposed development.
16. Whilst the Council accept that there would be no adverse impact on the character and appearance of the area, this would not address the harm to the Green Belt identified.

Green Belt Balance

17. The proposed development would be inappropriate development in the Green Belt. The Framework establishes that substantial weight should be given to any harm to the Green Belt. It would also result in harm to the openness of 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.
18. For the reasons above, the harm to the Green Belt would not be clearly outweighed by other considerations and, therefore, the very special circumstances required to justify a grant of planning permission have not been demonstrated. The proposed development is therefore contrary to Policy NHE5 of the Local Plan and the Framework.

² 21/03169/F

Conclusion

19. The proposal conflicts with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the above reasons and having regard to all matters raised the appeal is dismissed.

V Goldberg

INSPECTOR