
Appeal Decision

Site visit made on 17 September 2025

by **S Rawle BA (Hons) Dip TP Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 1 October 2025

Appeal Ref: APP/Y3615/D/25/3367548

Honeysuckle Cottage, Honeysuckle Bottom, East Horsley, Surrey KT24 5TD

- 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 Wood against the decision of Guildford Borough Council.
 - The application Ref is 24/P/01739.
 - The development proposed is a single storey extension and porch
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are;
 - Whether or not the proposal would be inappropriate in the Green Belt having regard to the National Planning Policy Framework and any other relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt; and
 - whether the 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 or not inappropriate development

3. The National Planning Policy Framework (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
4. The Framework further establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in paragraph 154. A relevant exception includes paragraph 154(c), the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
5. Policy P2 of the Guildford Borough Local Plan: Strategy and Sites, April 2019 (GBLP) is consistent with the Framework as among other things it sets out that new

buildings in the Green Belt will constitute inappropriate development unless buildings fall within the list of exceptions identified in the Framework.

6. It is common ground between the main parties that the proposed extension would result in a disproportionate addition over and above the size of the original building and consequently represents inappropriate development. The exercise I am required to undertake is primarily an objective one by reference to the size of the original dwelling in comparison to the size of previous extensions and the proposal. I agree with the analysis of the main parties that the proposed extension would result in a disproportionate addition. Consequently, the appellant cannot rely on the exception set out in paragraph 154 c).
7. I therefore conclude that the appeal proposal would be inappropriate development in the Green Belt which is, by definition, harmful and should not be approved except in very special circumstances. It would therefore conflict with Policy P2 of the GBLP and the relevant policies of the Framework as set out above.

Openness

8. Openness is an essential characteristic of the Green Belt that has spatial as well as visual aspects. Spatially, there would be an overall increase in floor space and volume. The footprint of the building would also be increased and by occupying space that was previously undeveloped, the proposed development would harmfully reduce the openness of the site.
9. Visually, public views of the proposal although somewhat restricted would nevertheless be possible from Honeysuckle Bottom through gaps in roadside vegetation and through the existing pedestrian entrance gate. Consequently, the proposed extension would have some presence in public views from Honeysuckle Bottom. As a result, there would be moderate harm to openness to which I give substantial weight.
10. Very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness and the moderate harm to openness and any other harm resulting from the proposal is clearly outweighed by other considerations. I will now consider other considerations before undertaking an overall balancing exercise.

Other Considerations

11. The appeal site has a significant planning history, but of particular relevance is that a Certificate of Lawful Use or Development (CLUD) has been granted for the erection of a single storey rear extension¹ which would be attached to the north elevation.
12. I am satisfied that there is a greater than a theoretical possibility that the single storey extension subject of the CLUD might take place, and on that basis potentially this matter would attract significant weight.
13. The Council accept that the floor area and the footprint of the CLUD extension and the proposed development would be very similar. However, they consider that due to the existing structures including the main house, the garage and barn as well as the driveway, the area to the north has a more urban feel and adding the CLUD

¹ 24/P/01051

- extension within this area enclosed by buildings would have less harm on the visual openness of the Green Belt in comparison to the proposed development.
14. However, I do not agree with the analysis. Visually, as the northern area is the main entrance to the appeal property and anyone visiting the dwelling would use the drive and park in this area, the CLUD extension would be significantly more visually prominent. In contrast an extension attached to the south elevation would be more visually discreet.
 15. As outlined above, the proposed extension would have some presence in public views from Honeysuckle Bottom. However, as recognised by the Council, the proposal would be modest in scale and would blend in with the character of the existing site, as a result I find that the proposed extension would have marginally less impact on the openness of the Green Belt than the fall back CLUD extension it would also be finished in appropriate materials.
 16. That said, of critical importance here is that given the position of the proposed development which would be attached to the south elevation and the CLUD extension which would be attached to the north elevation, it would be physically possible to carry out both developments thus negating the fallback argument.
 17. A CLUD can only be revoked in very limited circumstances. However, a planning application may be determined having regard to a planning obligation whereby the appellant agrees to not implement a previously granted but unimplemented CLUD. I have considered whether conditions could be imposed to address this matter. However, I am not satisfied that imposing a planning condition to remove the rights granted as a result of a CLUD would be reasonable in the context of this appeal proposal and would therefore not meet the tests set out in the Framework or the relevant Planning Practice Guidance (PPG). Further, any attempt to remove permitted development rights by condition would only take effect once any permission granted is implemented and so would not satisfactorily address this matter as the CLUD development could be implemented prior to the proposed development.
 18. Ultimately, given that no obligation has been provided and without one the fallback argument is negated, I can only afford the fallback position limited weight in the determination of the appeal.
 19. The site lies within the Surrey Hills National Landscape. The statutory purpose of National Landscapes is to conserve and enhance the natural beauty of the area. Section 85 of the Countryside and Rights of Way Act 2000 (as amended) now includes the duty on relevant authorities that they must seek to further this purpose when exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty (now National Landscapes).
 20. Furthermore, the Framework requires that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes, which have the highest status of protection in relation to these issues.
 21. Given my finding above that the proposed development would be modest in scale and would blend in with the character of the existing site, the proposal would be compatible with the sensitive countryside setting and as a result would not undermine the natural beauty of the area.

Planning Balance

22. For the reasons set out above, I am only able to give the fallback position limited weight. On the other hand, I have found that the proposal would result in harm to the Green Belt by virtue of its inappropriateness and its impact on openness. As required by the Framework I have afforded these harms substantial weight.
23. I accept that the proposal would not harm the character and appearance of the area, nor would it undermine the natural beauty of the Surrey Hills National Landscape. However, these are neutral factors in the determination of the appeal.
24. I have found that the proposal is inappropriate development in the Green Belt, having undertaken a balanced judgement, the resulting harm and any other harm, would clearly not be outweighed by the other considerations. Consequently, the very special circumstances necessary to justify the proposed development do not exist.

Conclusion

25. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.²
26. In this case, the proposal conflicts with the development plan when considered as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal should therefore be dismissed.

S Rawle

INSPECTOR

² Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990