



Appeal Decision

Site visit made on 7 October 2025

by **David Murray** BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 OCTOBER 2025

Appeal Ref: APP/Y3615/D/25/3364670

2 Grove Heath North, Ripley, GU23 6EN

- 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 Matthew Whaley against the decision of Guildford Borough Council.
 - The application Ref is 24/P/01655.
 - The development proposed is the erection of a single storey front and rear extension, single storey infill side extension, hip to gable roof extensions, front and rear dormer windows and changes to fenestration.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey front and rear extension, single storey infill side extension, hip to gable roof extensions, front and rear dormer windows and changes to fenestration at 2 Grove Heath North, Ripley, GU23 6EN in accordance with the terms of the application, Ref 24/P/01655, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing no's SDA/024RIP/PA01 Rev B and PA02 Rev B.
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development permitted by virtue of Classes A, B, C and D of Part 1 of Schedule 2 to the Order shall be undertaken at the dwellinghouse.

Preliminary Matter

2. A formal Unilateral Undertaking, dated 21 August 2025 and signed by the landowners, has been submitted by the appellant to the Council for this appeal. In general terms, the UU covenants the owners of the land not to carry out development or work which is the subject of specified Certificates of Lawfulness. I have taken account of the UU in the reasoning for this appeal decision.

Main issues

3. The main issues are:
 - Whether the additions proposed would result in inappropriate development in the Green Belt;

- The effect on the character and appearance of the host building and the local area; and
- If the development would be inappropriate, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to very special circumstances.

Reasons

Background

4. The host property on the appeal site is a detached chalet bungalow with some accommodation in the roof space. It lies in a residential street on the edge of the village of Ripley but the area forms part of the Green Belt. Since its construction the bungalow has been extended to the side and rear.
5. A previous proposal is relevant to this appeal. Appeal APP/Y3615/D/24/ 3353620 which related to a similar proposal for extensions and alterations to the property was dismissed in February of this year. The inspector concluded that while the proposed development was well designed and respected the character and appearance of the host property and the local area, the cumulative scale of the additions meant that the proposal was 'inappropriate development' in the Green Belt. There was some doubt over the appellant's 'fallback' position over other proposals as 'permitted development' which would be more visually discordant for the property. The inspector concluded that the fallback could therefore only be given reduced weight and overall these factors did not result in 'very special circumstances'.

Whether inappropriate development in the Green Belt

6. Paragraph 153 of the National Planning Policy Framework (the Framework) indicates that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Development which is not inappropriate is set out in paragraph 154 and this includes 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. This latter term is defined as the building as it existed on the 1st July 1948, or if built subsequently, as it was built. Local Plan Policy P2 contains similar provisions.
7. The Council calculates that the proposed extensions, together with the additions added since the property was built would amount to about a 269 % increase in floor area and this represents a disproportionate addition. I agree that such an increase would not accord with the exception set out in paragraph 154(c) of the Framework.
8. However, the Council also recognises that further additions could be added to the property under 'permitted development' as put forward under the Certificates of Lawfulness. These could result in a greater footprint in the scale of the property and have a discordant impact on the character of the host property and its setting in the street scene. The UU offered by the appellant would remove the potential for these further additions, as set out in the Certificates of Lawfulness, from being implemented.
9. I will therefore assess this factor in considering whether there are very special circumstances.

Effect on character and appearance

10. The existing property lies in a street where the other houses are mainly of two storey form and there is a variety of designs and materials including a chalet bungalow with dormer windows. The previous inspector was satisfied that the extensions then proposed were well designed and respected the character and appearance of the property.
11. Since then the current scheme has reduced the scale of the dormer windows including the one on the front elevation facing the street. The differences are shown on the appellant's comparison plans and drawings. In particular, the scale and positioning of the dormers on the roof slope better meets the guidance put forward in the Council's Residential Extensions and Alterations SPD 2018.
12. Taking the various components of the proposed additions together, I am satisfied that they would not result in a contrived and incongruous form. While the overall appearance of the property would change it would sit comfortably in the street scene and relate well to the surroundings of the site. As such there is no conflict with the provisions of Local Plan Policy D1 on place shaping, Policy D4 on achieving a high-quality design, or Policy H4 on acceptable forms of housing extensions. Neither is there conflict with Lovelace Neighbourhood Plan Policy LNPH3.

Planning and green belt balance

13. On the main issues I have found that while the proposed alterations and additions would respect the character and appearance of the host property and its setting in the street-scene, the further extensions, in cumulation with previous work, would result in disproportionate additions over and above the size of the original property. The proposal therefore constitutes inappropriate development, and substantial weight has to be given to this harm to the Green Belt.
14. The appellant raises a fallback position where two schemes, which involve further extensions to the property could be added under 'permitted development'. These were recognised by the previous inspector to result in a discordant and convoluted form which would harm the character of the dwelling and the area. The appeal scheme may have been better than the fallback position, however the inspector could not put much weight on this fallback because of a lack of formal legal mechanism over its control and doubt over whether other extensions could still be carried out.
15. The applicant has sought to address this with the formal UU which would restrict the carrying out of the work set out in the two Certificates of Lawfulness. Moreover, the appellant has indicated that he would accept a condition on a permission which would restrict further extensions being carried out as permitted development. I am satisfied that the UU meets the requirements set out in paragraph 58 of the Framework. I can therefore put substantial weight on it. I am also satisfied that the fallback position is more than a theoretical possibility and is likely to be implemented if the appeal is dismissed given the family need for additional accommodation.
16. The appeal scheme would therefore result in a lesser degree of lawful extensions to the property than that which may be carried out under the Certificates of Lawfulness. In this way the openness of the Green Belt would be maintained and the character and appearance of the area would be protected by this appeal

scheme. The Council questions whether the property could be extended other than by the fallback and before a new planning condition 'bites' with the implementation of the appeal decision. However on the evidence before me this scenario appears unlikely and is beyond the reasonable scope of the appeal in any event.

17. Overall I find that the terms of the UU restricting the lawful extensions and the acceptance of a condition withdrawing future 'permitted development' would maintain the openness of the Green Belt in the long term. These factors outweigh the harm caused by the appeal scheme being inappropriate on its own. Very special circumstances have been demonstrated as set out in paragraph 153 of the Framework and Policy P2. The appeal should therefore be allowed.
18. In terms of conditions, the one restricting 'permitted development rights' mentioned in paragraph 16 above is necessary as the general allowance for further extensions to the property has been taken account of in the appeal scheme and I will impose this condition so as to protect the openness of the Green Belt in the long term. The Council also requests conditions relating to the commencement of the development and accord with the approved plans. These are necessary for clarity and to maintain the appearance of the area and I will impose them as well.

Conclusion

19. For the reasons given above the appeal should be allowed.

David Murray

INSPECTOR