Planning Inspectorate

Appeal Decision

Site visit made on 5 August 2025 by S Wilson LL.B. MSc MRTPI

Decision by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th October 2025

Appeal Ref: APP/B3600/D/25/3365808
Stable Cottage, Hook Lane, Surrey, Shere GU5 9QQ

- 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 and Mrs Richards against the decision of Guildford Borough Council.
- The application Ref is 25/P/00145.
- The development proposed is the demolition of existing orangery, construction of a single storey side extension and alterations to fenestration.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The appeal site is within the Green Belt and so the main issues are:

    - Whether or not the proposed development would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework and any relevant development plan policies.
    - The effect of the proposed development on the openness of the Green Belt.
    - If the proposed development is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposed development.

Reasons for the Recommendation

Site and Proposed Development

4. The appeal building is a two storey semi-detached residential dwelling house set within generous grounds. There is a double storey extension, an orangery/conservatory to the side, lobby to the rear and a detached garage, all granted permission by reference 04/P/02172. The area has a distinct rural feel, and the property is located within the Green Belt.

5. The proposed development comprises the demolition of the existing orangery, the erection of a single storey side extension and alterations to fenestration.

Whether or Not Inappropriate Development

6. The National Planning Policy Framework (2024) (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The Framework outlines that the construction of new buildings should be regarded as inappropriate in the Green Belt subject to a number of exceptions as set out in paragraph 154. One of the exceptions cited is 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'.

7. The Guildford Borough Local Plan: Strategy and Sites (adopted by Council on 25 April 2019) (the Local Plan) Policy P2 is consistent with the Green Belt aims of the Framework in terms of acknowledging that the construction of new buildings in the Green Belt will constitute inappropriate development, unless the buildings fall within the list of exceptions identified by the Framework. Local Plan Policy P2 also acknowledges that the 'original building' is defined as the building as it existed on 1 July 1948 or if constructed after this date, as it was originally built. The Framework does not define what constitutes a 'disproportionate' addition.

8. The Council's evidence sets out that the appeal property is an extended property. The 'original building' was 97.6 square metres (sqm). The existing building including the detached garage is 239.27sqm and the building including the proposal and the detached garage would be 248.97sqm. The Council calculate that the proposal, including previous additions, would increase the floorspace from the original dwelling by 155%. The appellants do not dispute this.

9. The proposed extension would add to the footprint and volume of the appeal building, which when taken with the previous additions to the property would result in a disproportionate addition over the size of the original building in the terms of paragraph 154 c) of the Framework. This is the case even accounting for the fact that the proposed development would include the demolition of the existing orangery.

10. For these reasons, the proposal would be inappropriate development in the Green Belt. This is a matter to which I afford substantial weight in the planning balance.

Openness

11. The Framework outlines that one of the essential characteristics of Green Belts is their openness. Openness has both a spatial and a visual aspect. By its very nature of placing built development where there is currently none, the proposed development cannot fail but to have a greater impact on the openness of the Green Belt in spatial terms. I find that in light of the overall size and scale of the development, the harm to the openness of the Green Belt from a spatial aspect would be relatively moderate.

12. The proposed development would be a single storey side extension. The front of the dwelling is heavily screened by mature vegetation and the boundary treatments between the semi-detached dwellings screen one side. However, open views are available from the rear and to a limited extent from the other side. Whilst there would be an increase in mass and scale, the increase in built form to the side would fit into the existing side silhouette and be barely perceptible. The proposal would balance the dwelling and be in harmony with the dwelling. I therefore find that there

would be limited harm to the openness of the Green Belt from a visual point of view.

13. Overall, I consider that the effect on the openness of the Green Belt would be moderate, and I therefore give this harm moderate weight.

Other Considerations

14. Paragraph 153 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It states that very special circumstances will not exist unless the harm to the Green Belt by way of inappropriateness, and any other harm, is clearly outweighed by other considerations.

15. The development in this case amounts to inappropriate development in the Green Belt and the Framework requires that substantial weight be attached to the harm in that regard. It would also cause moderate harm to the openness of the Green Belt.

16. A Lawful Development Certificate (LDC) 24/P/01356 exists for a rear, single storey extension. The Council acknowledge that the LDC scheme would result in a greater uplift on the existing situation than the appeal proposal; however, I do not have clear detailed calculations to demonstrate this. Furthermore, the appellants maintain that the rear extension would be an incongruous addition and that the proposal would be more in harmony with the dwelling.

17. Notwithstanding the above, there is no mechanism before me to prevent the implementation of the LDC as well as the appeal proposal if I were to approve it. As such, both could be built. This significantly undermines the LDC as a fallback position. It is also pertinent that the LDC development is of a different nature and siting to the appeal proposal. Being deemed lawful, it also would not have been considered against the development plan or the Framework, unlike the appeal proposal.

18. The appellants suggest that a condition to remove the permitted development rights could control future development at the property. As I have found that the proposed development would represent inappropriate development in the Green Belt, the removal of permitted development rights would not make the development acceptable in planning terms. Furthermore, paragraph 55 of the Framework sets out that planning conditions should not be used to restrict national permitted development rights unless there is a clear justification to do so. In the particular circumstances of this appeal, a condition preventing permitted development rights being exercised prior to the implementation of the appeal proposal would be unlikely to pass the tests of reasonableness or necessity.

19. Taking all the above into account I afford the fallback scheme limited weight.

20. I acknowledge that the development would provide additional living accommodation for the occupants of the property. However, such personal circumstances seldom outweigh general planning considerations, and I therefore give them limited weight in the appeal.

Planning Balance

21. The proposal would constitute inappropriate development in the Green Belt. When considered as a whole, moderate harm would be caused to the openness of the

Green Belt. The substantial weight to be given to Green Belt harm arising from the proposal would not be clearly outweighed by the other considerations as outlined above. Consequently, the very special circumstances necessary to justify the development do not exist. Therefore, the proposed development would not accord with the Green Belt aims of the Framework and the Local Plan.

Conclusion and Recommendation

22. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

A M Nilsson

INSPECTOR