



Appeal Decision

Site visit made on 5 November 2025

by **H Miles BA (hons), MA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 NOVEMBER 2025

Appeal Ref: APP/Y3615/D/25/3373145

Binton Farm House, Binton Farm, Binton Lane, The Sands, Farnham, Surrey GU10 1LQ

- 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 Jan de Walden against the decision of Guildford Borough Council.
 - The application Ref is 25/P/00448.
 - The development proposed is garage and store.
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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 2024 (the Framework) and any relevant development plan policies.
 - The effect of the proposal on the openness of the Green Belt.
 - The effect of the proposed development on ecology.
 - 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

3. The Framework states that inappropriate development is, by definition, harmful to the Green Belt. Development in the Green Belt is inappropriate and thus should be approved only if very special circumstances exist, unless they come within one of the exceptions in the Framework. This is broadly echoed by Policy P2 of the Guildford Borough Local Plan: strategy and sites (2019) (LPSS)

Whether disproportionate additions

4. Of relevance to this appeal, paragraph 154c) of the Framework provides an exception for 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 assessment is against the original building and not the building plus

extensions constructed or allowed. Policy P2 of the LPSS also includes detail that the original building should be the building as it existed on 1 July 1948. In this case that would be the original farmhouse, which the Council sets out had 185sqm of floorspace and the appellant states had a 54sqm footprint. There was also a separate single storey cart barn with 151sqm floorspace which has been converted to residential accommodation. In addition, extensions have been constructed which comprise a single storey link between the Farm House with the converted barn. The parties disagree as to the size of this addition, but it is a maximum of 45sqm and a minimum of 20sqm.

5. The proposed development would have a total of 88sqm of floorspace across the ground and first floor and a footprint of 65sqm. Even excluding the floorspace of the converted cart barn and taking the smaller of the two figures for the constructed extension, together this would be a significant increase in floorspace over and above the size of the original farmhouse. Furthermore, the appeal scheme would result in a clear two storey mass to the garage and, together with the existing extensions, it would result in an enlarged bulk occupying an increased part of the plot. This would result in an excessive scale and size to the extensions at Binton Farm House and the proposed development would be disproportionate additions to the original building
6. Therefore, the exception in paragraph 154c) would not apply and the proposed development would result in disproportionate additions over and above the size of the original building.

Grey Belt

7. The site is in a rural location and is clearly separated from nearby settlements by fields and open land. As such, the proposal does not lead to the unrestricted sprawl of large built-up areas, does not contribute to neighbouring towns merging into one another and preserves the setting and special character of historic towns. Consequently, the site does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. Also, the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would not provide a strong reason for refusing or restricting development. Therefore, the site is grey belt land in terms of the Framework.
8. Where a site is judged to be grey belt, wider considerations are relevant to the development proposals on the site, including whether the development would not be inappropriate development in the Green Belt as set out in paragraph 155. This includes consideration of whether there is a demonstrable unmet need for the type of development proposed under paragraph 155b).
9. The development proposed is a garage and storage space for the occupiers. A previous Inspector (Appeal Decision APP/Y3615/X/22/3311601) identified that a ground floor storage area of around 22sqm would be genuinely and reasonably required for purposes incidental to the enjoyment of this dwelling. Nevertheless, it would not amount to an unmet need for this type of development. Also, there is existing space for parking on the site, albeit it is not covered. As such, I do not have evidence of the form that establishes a need for this type of development. Consequently, I am not satisfied that there is a demonstrable unmet need for the type of development proposed and therefore, the circumstances required by paragraph 155b) do not apply.

10. In order to benefit from the exemption to inappropriate development relevant to grey belt land, the proposal must satisfy all the criteria of paragraph 155. Even if I were to find that the development of the site would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan, and would be in a sustainable location, the appeal scheme would nevertheless be inappropriate development in this respect as it would not satisfy paragraph 155b).

Previously developed land

11. Paragraph 154g) provides for limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
12. The site is within the curtilage of land which has been lawfully developed and is occupied by a permanent structure. It is not within a settlement and is in the countryside for the purposes of the development plan so, in this case, it is not in a built up area. As such, the appeal site is previously developed land for the purposes of the Framework. I will go on to consider the effect on openness.

Openness

13. Openness has both spatial and visual dimensions. Public views of the building would be screened by trees, although glimpsed views would be possible, particularly when trees are not in leaf, across the open farmland and towards Binton Lane and the nearby golf course. Nevertheless, the proposed development would introduce a large two storey building into an area which is currently open. It would be substantial in size including first floor accommodation, internal and external storage space and parking for two cars. Although it would be within the curtilage of Binton Farm House, it would be set away from the built up part of the site, apart from the main dwelling and outside the domestic garden areas in an area which is currently free from significant development. Consequently, taking all the above into account there would be substantial harm to the openness of the Green Belt in the circumstances of this case. It would therefore be contrary to the Framework in this regard and furthermore, would not meet the exception at paragraph 154g).
14. As such, the proposed development would be inappropriate development in the Green Belt in terms of the Framework and would be contrary to Policy P2 of the LPSS, the aims of which are described above.
15. As I have found the development to be inappropriate, the appellants summary of the conclusions of the *Mole Valley District Council vs SSHCLG [2025] EWHC 2127 (Admin)*, which are that the aim of preserving the green belt's openness cannot be compromised by development that is found to be not inappropriate, would not apply. Similarly, nor would footnote 55 of the Framework.

Ecology

16. The garage would be located within the root protection zone (RPZ) of a number of trees. The submitted Preliminary Ecological Assessment (2025) (PEA) identifies that the oak tree at the entrance to the site has roosting potential for individual bats

and the woodland on site is of high suitability for foraging bats. There is also a parcel of deciduous woodland priority habitat on the site. An Arboricultural Report (2025) has been submitted which recommends the use of screw pile foundations with a suspended floor to mitigate the impact on trees. The PEA has been prepared on the basis of the arboricultural report's conclusions that no trees would be impacted as a result of the proposed development.

17. However, I have no information as to the number, position or detail of the foundations and their incursion into the RPZs. Furthermore, the Arboricultural Report states that in order to incorporate these requirements there would need to be a ramp up to the garage. This does not appear to be shown on the submitted drawings and given the importance of the size of the building, an increase in height would not be a minor change, so I am not satisfied that it would be part of the scheme before me now. Given that the building would be in the root protection zone of a number of trees including one which has bat roost potential, taking into account the above, there is unsatisfactory evidence to demonstrate that the development would not have a harmful effect on the existing trees and consequently on protected species and ecology.
18. As such I have insufficient information that the development proposed would not have a harmful effect on ecology. Therefore, the appeal scheme would be contrary to P6 and P7 of the DMP which, in part, seek to protect important habitats and species and retain tree canopies.

Other Considerations

Fallback

19. Planning permission and certificates of lawfulness have been granted for extensions and outbuildings at this site which have not been implemented. These include a single storey extension to the main house (21/P/01526) of 29sqm, a single storey garden room (22/P/01274) of 16sqm and a garage (22/P/01271, APP/Y3615/X/22/3311601) of 65sqm (the PD garage).
20. The appellant states that a larger building than that permitted, such as a three car garage, could be constructed under PD. However, the matters in dispute for the PD garage appeal included whether the size was excessive for the purpose proposed. The PD garage appeal also did not include first floor accommodation. Therefore, in the absence of substantive evidence, such as a certificate of lawfulness, I am not satisfied that larger buildings would be permitted under PD in this case. As such, there is not a real prospect of a larger garage occurring.
21. The proposed garage is in a different location on a completely different footprint to the PD garage, with first floor accommodation which is clearly evidenced by the proposed dormers. The PD garage is simple in its design with timber weatherboarding and a low level hipped and pitched roof, and appropriate in appearance. Whilst the proposed outbuilding would include further detailing such as windows and a door, the additional detail to a secondary outbuilding is not a clear improvement in appearance compared to the PD garage.
22. The appellant has stated their intention not to implement the single storey extension. However, the footprint of the proposed garage would not overlap with the extension, nor the garden room or PD garage and there is no suitable

mechanism before me to secure that these developments would not take place. Therefore, both the appeal scheme and these additions could be implemented.

23. Consequently, for the reasons above, the appeal scheme would not be an improvement to openness or character and appearance. As such, I afford limited weight to the fallback position in the circumstances of this case.

Surrey Hills National Landscape

24. The appeal site is within the Surrey Hills National Landscape, and I give great weight to conserving and enhancing landscape and scenic beauty in this area, which has the highest status of protection in relation to these issues. I have a duty to seek to further the statutory purposes of the National Landscape which are conserving and enhancing the natural beauty of the area. The proposed development seeks permission for a domestic garage located within an existing residential plot. As such, there would not be a change to the landscape character as a result of the proposed development and therefore it would conserve and enhance the natural beauty of the area. However, the lack of harm in this regard is a neutral matter.

Green Belt Balance

25. I have concluded that the proposal would be inappropriate development in the Green Belt which is, by definition, harmful. There is also harm to the Green Belt due to the effect on openness. Substantial weight should therefore be given to the harm to 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.
26. On the other hand, the proposed development would improve the living conditions of the occupiers. However, this is mainly a private benefit for the existing residents. Furthermore, the fallback position does not justify the development proposed for the reasons set out above. Therefore, these matters attract limited weight. Consequently, the considerations advanced by the appellant, even when considered together, do not clearly outweigh the totality of the Green Belt harm. The very special circumstances necessary to justify the development therefore do not exist.

Conclusion

27. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Consequently, for the reasons given above the appeal should be dismissed.

H Miles

INSPECTOR