



Appeal Decision

Site visit made on 28 October 2025 by Elizabeth Davies BSc (Hons) MISEP, CEnv

Decision by L C Hughes BA (Hons) (MTP) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd January 2026

Appeal Ref: APP/L3625/D/25/3373754

Uplands, Ebbisham Lane, Walton On The Hill, Surrey KT20 5BT

- 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 A Groothedde against the decision of Reigate and Banstead Borough Council.
 - The application Ref is 25/00925/HHOLD.
 - The development proposed is described as “new entrance drive and access to existing road, erection of single storey side extension, alteration to side elevation dormer, remodelling of existing garage and addition of car port and landscaping works to front and rear garden to include swimming pool”.
-

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 main issues in the appeal are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies.
 - The effect of the proposal on the openness of the Green Belt; and
 - If the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons for the Recommendation

Whether inappropriate development

4. The appeal property is a detached two storey dwelling set in a relatively large plot, situated within the Metropolitan Green Belt. It has a detached garage and is accessed by a short, gated driveway from Ebbisham Lane. The Council considers that the proposed car port and new vehicular access would be acceptable (subject to conditions) and have raised no issues in relation to the landscaping works and the proposed swimming pool. I have no reason to disagree with this conclusion.

This decision has therefore focused on the proposed extension and alterations to the dwelling.

5. Policy CS3 of the Reigate and Banstead Local Plan: Core Strategy, 2014 (CS) states that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances clearly outweigh the potential harm to the Green Belt. This is consistent with the Framework.
6. Policy NHE5 of the Reigate & Banstead Local Plan: Development Management Plan, 2019 (LP) sets out a series of criteria which must be met for the extension, alteration or replacement of a building in the Green Belt to be acceptable. Paragraph 154 of the Framework states that new buildings are inappropriate in the Green Belt unless they fall within a given list of exceptions. One exception is 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. Policy NHE5 is broadly consistent with this. Neither the Framework nor NHE5 define disproportionate or set any benchmark in terms of building size uplift. It is therefore a matter of planning judgement.
7. The Framework defines original building as a building as it existed on 1 July 1948, or if constructed after that date, as it was built originally. The appeal dwelling has been subject to previous alterations and extensions. The Council have provided figures indicating that the original house had a surface area of 140sqm and with the implementation of the proposal, coupled with the previous extensions, the dwellings footprint would be approximately 243sqm, an increase of circa 73%. In floorspace terms this would equate to an increase of approximately 65%. The appellants do not dispute these figures.
8. The quoted volume figures for the proposal differ in the evidence documents, with the appellants Design and Access Statement and the Council (based on the Design and Access Statement) estimating a volume increase of 195m³. However, the appellants in their Appeal Statement estimate that the appeal proposal would add 112.6m³ in volume. Whilst the volume of the dwelling has been calculated as 1013.06m³, it is not clear if this figure relates to the original dwelling prior to it being extended, or the current dwelling including the previous extensions. As such, it is difficult to accurately assess whether the volume of the proposed extension would be proportionate to the original building.
9. Notwithstanding the volume calculations, whilst I agree that the scale of the proposed side extension and alterations to the dormer would be subordinate to the dwelling as it exists today, when coupled with the previous enlargements the increase in the size of the original building would be significant. The overall scale, bulk and mass of the dwelling would be much larger and I conclude therefore that the proposed uplift represents a disproportionate addition over and above the size of the original building. It would be contrary to CS Policy CS3, LP Policy NHE5 and the Framework. The proposed extension would therefore be inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt.

Openness

10. The Framework states that “the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of

Green Belts are their openness and their permanence". Openness can be determined by visual and spatial aspects.

11. Whilst there would be no change to the main ridge height of the building or the rear building line as part of the proposals, the proposal would introduce built form into a part of the site which is currently undeveloped and as such would inevitably affect the spatial openness of the site. Given the scale of the extension, I find that the level of harm would be moderate.
12. Whilst the conversion of the garage to an open car port would reduce visual enclosure, this element of the proposal could be sought independently from the proposed extension to the dwelling. Nevertheless, the appeal property is relatively secluded from Ebbisham Lane and the ground floor extension and dormer alteration is orientated away from view from neighbouring properties. This limits the effect of the proposals on the visual aspect of the Green Belt's openness.
13. Overall, the proposal would have a harmful, albeit moderate to minor effect on openness. The harm would be localised but would nevertheless erode the openness of the Green Belt. This would be contrary to the Framework. This harmful impact on openness, and the inappropriateness of the proposal in principle, both carry substantial weight.

Other considerations

14. Paragraph 153 of the Framework states that inappropriate development is, by definition, harmful. Paragraph 153 requires substantial weight to be given to any harm to the Green Belt and requires very special circumstances to be demonstrated to clearly outweigh any harm to the Green Belt by way of inappropriateness, or any other harm.
15. Reference has been made to a fallback position, as permission has been granted at the appeal site under permitted development rights (application 24/00967/PDE) for a large single storey rear extension. The consideration of a fallback position, including what could be erected under permitted development, is a well-established principle. As the appellants have confirmed that groundworks for this extension have commenced and they are seeking to increase the amount of living space, I agree that there is more than a theoretical prospect that this rear extension could be constructed. As such it is a material consideration in my determination of the appeal. For significant weight to be afforded to the fallback position, there needs not only to be a reasonable prospect of it being carried out, but it would also need to be more harmful than the scheme for which permission is being sought.
16. It is noted that the fallback scheme would have a greater volume of built form than the appeal scheme. However, I do not agree it would have a more prominent or intrusive massing effect at the rear of the dwelling as the boundary with the neighbouring property is well screened with mature landscaping. The location at the rear would be more discreet when viewed from the front of the appeal property and visually less of an impact on openness would occur compared to the proposed side extension. The proposed extension would also have a higher overall height than the permitted development extension. Moreover, as the appeal proposal includes an extension on the side of the dwelling whereas the permitted development rights pertain to an extension at the rear, I cannot be confident that both the appeal scheme and the fallback scheme would not be built. Were I to allow the appeal

scheme, with no signed legal agreement or other mechanism to prevent it, there would be nothing to prevent the appellants from constructing the fallback scheme and the appeal proposal. This would result in a greater level of cumulative harm to Green Belt openness than the appeal proposal alone.

17. There are a number of areas in which the proposals would be acceptable, such as residential amenity, arboricultural impact, landscape impact and design, and I have no reason to disagree with the conclusions of the main parties on these matters. I note that the proposed new access arrangements would likely improve highway safety. However, planning approval for the new access arrangements could be sought independently from the proposals to enlarge the dwelling and the benefits would not justify allowing the appeal in this case. I therefore give limited weight to this consideration.

Other Matters

18. The appellants have indicated that the proposals would remain within the envelope of what has been accepted as proportionate in other appeal decisions within the Borough and under national guidance. However, I have not been provided with substantive evidence regarding other decisions, and I have determined this appeal on its own merits and on the evidence before me.
19. I note the appellant sought pre-application advice from the Council and that this proposal follows a previously refused scheme for a larger development. It is however sufficiently clear from my findings above that amendments to this scheme are insufficient to overcome the harm to the Green Belt and the conflict with the development plan.

Green Belt Balance and Conclusion

20. The development would be inappropriate development in the Green Belt, and would harm its openness, to which I must attribute substantial weight against the development. Balanced against that are the other considerations identified above. I cannot attach any substantial weight to the permitted development scheme as a fallback position and only limited weight to the improvements to highway safety which could be achieved irrespective of the enlargements to the dwelling. The lack of harm in other areas are neutral factors in the planning balance. I conclude that the other considerations do not clearly outweigh the harm to the Green Belt and therefore there are no very special circumstances to justify the proposal.
21. The proposed development would therefore be contrary to the Framework, CS Policy CS3 and LP Policy NHE5.
22. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Elizabeth Davies

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.

L C Hughes

INSPECTOR