



Appeal Decision

Site visit made on 21 January 2026

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 JANUARY 2026

Appeal Ref: APP/A3655/W/25/3373785

Manor Cottages, Carhouse Lane, Horsell, Woking, Surrey GU21 4XT

- 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 T Slocock of The Estate of MO Slocock (deceased) against the decision of Woking Borough Council.
 - The application Ref is PLAN/2024/0853.
 - The development proposed is the demolition of 3 existing barns and the erection of 4 dwellings. Alongside this, a conversion of 1 existing barn to create a further dwelling (total of 5 dwellings).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the appeal proceedings, the appellant has provided revised plans showing amendments to the scheme considered by the Council. The changes relate to the re-configuration of the proposed parking area. Whilst the appellant considers these changes to still fall within the original description of the development, they form a material change to the application and do not reflect the scheme which was subject to consultation.
3. The appeal must be determined based on the plans as originally submitted to the Council and upon which it based its decision. To do otherwise would prejudice the interests of the Council, interested third parties and consultees, who have not been consulted on the revised scheme and who may have observations to make. I have therefore proceeded to determine the appeal based on the plans as originally submitted.
4. In addition, an ecological appraisal has been provided with the appeal which has been submitted post the Council's decision. This document is a direct response to one of the Council's reasons for refusal and the Council has had the opportunity to comment on it as part of the appeal process. I have therefore had regard to the ecological appraisal insofar as is relevant.

Main Issues

5. The main issues are:
 - whether the appeal site is grey belt land and whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies, including the effect upon the openness of the Green Belt;

- whether the site is suitable for the proposed development, having regard to relevant policies for the location of housing and the proximity to services and facilities;
- the effect of the proposal on the character and appearance of the area;
- whether the proposal would have an acceptable effect on the living conditions of the occupiers of 5 Manor Cottages, with particular regard to outlook;
- the effect of the development on protected species, in particular bats; and,
- 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 development.

Reasons

Whether inappropriate development

6. The appeal site is within the Green Belt, which Policy CS6 of the Woking Core Strategy (2012) (WCS) seeks to protect from harmful development through the strict control over inappropriate development, as defined by Government policy outlined in the Framework. Policy DM13 of the Development Management Policies Development Plan Document (2016) (DMPDPD) refers to potential exceptions to inappropriate development in the Green Belt, again, referring in part to the Framework.
7. Paragraph 153 of the Framework requires substantial weight to be given to any harm to the Green Belt, including harm to its openness, stating that inappropriate development should not be approved except in very special circumstances. The Framework does however outline several exceptions to inappropriate development at paragraphs 154 and 155.

Previously developed land

8. Paragraph 154 g) of the Framework relates to the partial or complete redevelopment of previously developed land (PDL), whether redundant or in continuing use, which would not cause substantial harm to the openness of the Green Belt. The Framework defines PDL as land that has been lawfully developed, including any permanent structures, associated fixed surface infrastructure, and the curtilage of the developed area. The definition excludes, amongst other things, land that is or was last occupied by agricultural buildings.
9. It is disputed between the main parties whether the site is in agricultural use with the appellant contending that the buildings are used for storage purposes. Nevertheless, there is reference to storage of machinery and equipment for the maintenance of the wider grounds which would be tantamount to a use ancillary to the agricultural use of the land.
10. I have not been presented with any planning history which suggests the appeal site has a lawful use outside of agriculture. At the time of my site visit I observed that the buildings were partly being used for storage, but this included pieces of agricultural machinery. Whilst it is suggested that the storage use has been in operation for more than 10 years, there is little substantiated evidence regarding

the ongoing use of the site. I have not, for example, been provided with evidence, such as a Lawful Development Certificate, to confirm a use outside of agriculture.

11. The application form described the existing use of the site as '*currently an old farm site which is still used agriculturally but at a significantly less scale.*' Whilst the evidence submitted to support the appeal suggests that the buildings are no longer used for agricultural purposes, there is little to persuade me that there has been a lawful change of use since the agricultural use of the site described in the application form. I therefore find that the appeal site was last occupied for agricultural purposes and is excluded from the Frameworks definition of PDL. On this basis, the proposal cannot be considered as an exception to inappropriate development through paragraph 154 g) of the Framework.

Grey belt

12. I have already concluded that, on the evidence before me, the site does not meet the definition of PDL. Grey belt land can also be any other land that does not strongly contribute to any of purposes a), b), or d) in paragraph 143 of the Framework.
13. The appeal site is within a cluster of sparsely formed development some distance from the nearest large built-up area or town. The Council acknowledge that the site does not strongly contribute to the purposes of the Green Belt referenced above and therefore could be considered as grey belt land. To be regarded as not inappropriate development in the Green Belt, development in the grey belt must meet all the criteria set through paragraph 155 of the Framework.
14. Criterion a. requires the development to not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Based on the extent of the site, I am not persuaded that the development of the site would affect the ability of all the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way. I therefore find no direct conflict with criterion a.
15. The Council has confirmed that it can demonstrate a five-year supply of deliverable housing sites, a matter which the appellant has not disputed. There is therefore not a demonstratable unmet need for the type of development proposed and thus the proposal would not satisfy criterion b. Consequently, all of the criteria of paragraph 155 would not be satisfied, and the proposal cannot be regarded as not inappropriate development within the grey belt.

Openness

16. In line with the findings of the Courts¹, the Planning Practice Guidance (PPG) provides advice on the factors that can be taken into account when considering the potential impact of development on the openness of the Green Belt, with openness being capable of having both spatial and visual aspects. Factors such as the duration of the development and the degree of activity likely to be generated can also be taken into account.

¹ *Lee Valley Regional Park Authority, R (on the application of) v Epping Forest District Council & Anor (Rev 1)* [2016] EWCA Civ 404 & *R (on the application of Samuel Smith Old Brewery (Tadcaster) and others) (Respondents) v North Yorkshire County Council (Appellant)* [2020] UKSC 3

17. The appeal site as existing contains numerous buildings as well as areas of hardstanding. Owing to the proposed elements of demolition, when compared to the existing site, the proposal would represent a reduction in volume and floor area of built form (stated as being 19% and 4% respectively). There would however be a small increase in the area of the site covered by hardstanding.
18. My attention has been drawn to a previous appeal decision² elsewhere in Woking, where a previous Inspector considered a reduction in the spread of buildings across the site to be a positive effect of the development which carried weight in the assessment of openness. Whilst I do not have the full details of this case, I see no reason to disagree that a consideration of resultant building footprint, when compared to the existing situation, is relevant to an assessment of openness. In this case, I also find that the reduction in building footprint, and the consolidation of built form more centrally within the site is a positive effect of the development.
19. Nevertheless, many of the existing buildings within the appeal site are single storey. Consequently, the existing built form within the appeal site has a relatively low-lying appearance in the landscape which reduces the overall visual prominence of the built form. The dwellings proposed would all be two storeys in height, with ridge lines up to around 8 metres. This would represent a significant uplift in height when compared to the majority of existing built form. Visually, the proposal would hold much greater prominence in the landscape, even in the acknowledgment of both existing and proposed landscaping.
20. When taken as a whole, the increased bulk and height of the dwellings would undermine the reduction in built volume and footprint and cause harm to the openness of the Green Belt. Moreover, the residential occupation of the appeal site, as evidenced through the submitted transport statement, would likely lead to an increase in comings and goings associated with the site which would have a further negative impact in the context of Green Belt openness.

Green Belt summary

21. Whilst the appellant has referred to other exceptions to inappropriate development in the Green Belt (including the re-use of buildings, the extension or alteration of buildings and the replacement of a building), these are raised in the context of a potential fall-back position and therefore will be considered further below.
22. Based on the above, I conclude that the proposal does not meet any of the exceptions to inappropriate development in the Green Belt outlined within the Framework. It would also result in harm to the openness of the Green Belt which should be given substantial weight as outlined by paragraph 153 of the Framework. In this regard, it would conflict with Policy CS6 of the WCS and Policy DM13 of the DMPDPD, insofar as they require the provisions of national policy to apply to development in the Green Belt.

Suitable location

23. Notwithstanding the provisions of the Framework in relation to development in the Green Belt, a finding that a development is not inappropriate (which in any case is not relevant to the appeal before me) does not automatically mean that it is acceptable in terms of other planning issues.

² APP/A3655/A/10/2125384, decision dated 11 October 2010

24. The Spatial Strategy for Woking is set out within Policy CS1 of the CS seeking to direct development to areas which have the best access to a range of services and facilities. Whilst Policy CS1 of the CS references the intention to release some Green Belt land to facilitate growth, this was carried out as part of the publication of the DMPDPD. Policy CS18 of the CS aims to locate most new development in the main urban areas, served by a range of sustainable transport modes, such as public transport, walking and cycling to minimise the need to travel and distance travelled.
25. The appeal site is located beyond the outskirts of the defined urban areas and is not specifically allocated for development. It is presented that the village of Knabhill, with associated services and amenities, is approximately 1.5km to the south of the site.
26. Whilst there are other residential properties in the area immediately surrounding the appeal site, I am not aware of the circumstances which led to their development. It appears that at least in part, some of the existing residential properties were previously connected to agriculture.
27. At the point of the site access, Carhouse Lane is a rural road subject to a 40mph speed limit, without footpaths or streetlamps. I therefore find it highly unlikely that occupiers of the proposed dwellings would find walking, or even cycling, to and from the nearest facilities as a safe and reasonable option for day to day living. In addition, I have not been presented with details of public transport facilities which would serve the site. As a result, occupiers of the proposed dwellings would likely be heavily reliant on the use of a private vehicle to access the nearest services and facilities.
28. Taking these factors into account, I therefore find that the site is not suitable for the proposed development, having regard to relevant policies for the location of housing and the proximity to services and facilities. The proposal is therefore contrary to Policies CS1 and CS18 of the CS.

Character and appearance

29. The area surrounding the appeal site is sparsely populated with dispersed development separated by dense landscaping. The appeal site forms part of a small enclave of buildings associated with Manor Farm. The cottages previously associated with the farm have a modest form with a traditional agricultural vernacular deriving from their previous use. Overall, the area has a rural character and appearance typical of a countryside location.
30. As above, the existing buildings within the appeal site have a relatively low visual prominence and a utilitarian design which would be expected of agricultural buildings. They are therefore reflective of the rural character of the surroundings and assimilate well into the wider landscape.
31. The proposed dwellings would be arranged around a central courtyard laid to hardstanding to create access and car parking spaces with a detached car port broadly in the centre. The formalisation of this space creates an urbanised focus to the development which is at odds with the rural nature of the surroundings.
32. The proposed new dwellings in particular (plots 1-3 inclusive) would have a domesticated and suburban appearance with a scale and bulk beyond that which

is established by the existing buildings within the site. Whilst individually the scale and size of the dwellings would broadly conform with existing dwellings in the area, when taken together the proposal would be interpreted as a formalised sub-urban development which would go beyond the natural and organic evolution of development in a rural setting.

33. Whilst there are cues within the individual design of the dwellings which reference the agricultural heritage of the site (and notably plots 4 and 5 would be created through the conversion of an existing building), these would be difficult to interpret when taken in the context of the overall design, including the significant areas of hardstanding. Consequently, the proposal would fail to integrate into the rural surroundings representing a harmful urban intrusion.
34. Whilst some screening would be afforded by the existing belts of mature trees and proposed additional planting, this would not be sufficient to mitigate the harm to the character and appearance of the area which would be caused by the proposal. The harm to the character and appearance of the area would be contrary to Policies CS21 and CS24 of the CS, both of which require proposals to respect and make a positive contribution to the character of the area in which they are situated.

Neighbouring living conditions

35. Policy CS21 of the CS requires amongst other matters for proposals to achieve a satisfactory relationship to adjoining properties avoiding significantly harmful impacts including in terms of an overbearing effect due to bulk, proximity or outlook. The Council has referred to its Supplementary Planning Document (SPD) on Design (2015) which provides further guidance in terms of the principles of protecting the living conditions of neighbouring occupiers. Whilst this is in the context of residential extensions, it follows the principles of Policy CS21 of the CS.
36. At present the rear outlook and the outlook from the rear garden for the occupiers of 5 Manor Cottages (No 5) is towards one of the single storey agricultural buildings within the appeal site. Given the presence of a boundary hedge and vegetation, the existing building is largely screened from No 5, despite the relatively close proximity. The proposal would demolish the existing building and in doing so reduce the footprint of built form in this part of the appeal site. However, due to the height and position of the existing building, the benefits in its removal are unlikely to be readily perceived by the occupiers of No 5.
37. As a replacement, the proposal would introduce a two-storey dwelling which would span almost the entire width of the rear garden for No 5 (albeit it would have a single storey element). Whilst the existing hedge would screen much of the ground floor, the first floor and the roof would represent a stark and imposing form of development to the outlook for the occupiers of No 5. The upward projection in comparison to the existing building would be overbearing to the occupiers of No 5 from both within the property and through use of the rear garden.
38. It is clear that the dwelling has been designed to avoid overlooking to the neighbouring dwelling with only one small window at first floor proposed to serve the landing area and one small roof light. In this respect the failure to adhere to the separation distances between rear elevations suggested within the Council's SPD on Outlook, Amenity, Privacy and Daylight (2022) is not fatal.

39. The appellant has further referred to the Council's SPD on outlook specifically in the context of the guidance that, "*outlook from a principal window will generally become adversely affected when the height of any vertical facing structure exceeds the separation distance from the window.*"
40. Whilst the proposal would comply with this element of the guidance, this does not account for site specific circumstances, including in this case that the two-storey wall would span almost the entire width of the neighbouring rear garden. Based on the above assessment and notwithstanding the advice within the SPD, the distance between the proposed dwelling and the rear of No 5 would be insufficient to prevent the harm to neighbouring outlook described above.
41. It is suggested that the proposal offers a benefit in the removal of potential noise and odour impacts associated with the existing use of the appeal site, albeit there is little in the evidence before me to suggest the existing extent of these impacts. Even if the site were to be re-introduced as an agricultural use, I am not convinced that the likely transient nature of noise and odour impacts associated would be worse than the permanent presence of built form in the manner proposed.
42. The appellant is of the view that the proposed relationship would not be dissimilar to the relationship between dwellings which exist adjacent to the appeal site. However, in the case of the example given, the relationship represents a true side to rear elevation distance whereby the rear outlook would not be towards built form. The neighbouring relationship is therefore not directly comparable to the appeal scheme before me for consideration.
43. Based on the above, the proposal would have a significantly harmful effect on the living conditions of the occupiers of 5 Manor Cottages, with particular regard to outlook. It would therefore be contrary to Policy CS21 of the CS.

Protected species

44. Policy CS7 of the CS relates to biodiversity and nature conservation stating that the Council is committed to conserving and protecting existing biodiversity assets. The proposal was supported at application stage by a bat emergence survey report which identified bat droppings in one of the buildings and was therefore categorised as a confirmed bat roost. Whilst the survey referred to a Preliminary Roost Assessment this was not submitted with the application. Neither was a wider ecological survey.
45. The Ecological Appraisal which has been submitted to support the appeal is based on a survey undertaken in September 2025. It identified low ecological value with limited potential for protected species other than bats. Barn owl pellets were noted on site which would warrant pre-commencement checks but this, as well as other mitigation measures, could be subject to condition were the appeal to otherwise succeed.
46. The Bat Emergence Survey Report however was based on surveys undertaken between May and July 2024 and is therefore not a recent representation of bat activity on site. Even if I take a pragmatic view that bats are present given the findings of the previous surveys, in the absence of up-to-date information, I cannot be satisfied that the level of mitigation referred to, and suggested to be conditioned would be appropriate in the context of existing bat activity on the site.

Subsequently it is not possible to define the extent to which protected species may be affected by the proposed development.

47. A condition for further survey works should not be imposed other than in exceptional circumstances. I have not been presented with, nor have I identified any exceptional circumstances which would justify conditioning further survey works if the appeal were to be otherwise allowed. On this basis, the proposal could have a harmful effect on protected species, in particular bats. It is therefore contrary to Policy CS7 of the CS.

Other considerations

48. The proposal would contribute to the Council's housing supply through the delivery of five additional dwellings, which would make an efficient use of the land and allow for the diversification of an agricultural site no longer in an active agricultural use. I note that the Framework outlines support for bringing forward small and medium sized sites, acknowledging that they can make an important contribution to meeting the housing requirements of an area. I have given the benefits associated with housing delivery moderate weight.
49. There would also be environmental benefits associated with the biodiversity net gain (BNG) on site and additional planting and landscaping. In addition, there would be economic benefits including employment through construction. Given the scale of the development, I have given the economic and environmental benefits limited weight.
50. It is presented that a contribution towards the community infrastructure levy (CIL) would also be a benefit of the proposal, but this would be required to mitigate the development rather than being an additional benefit. Moreover, whilst no harm has been identified in respect to several factors, including living conditions for future occupiers, highway impacts and housing mix, these matters do not specifically weigh in favour of the proposal.
51. The appellant has referred to court cases³ which have considered the concept of a fallback position as a material consideration. Plans have been submitted to support the appeal to demonstrate how the site could come forwards for residential development in the absence of the appeal being allowed. It is presented that this could come forwards either through the provisions of the Framework, specifically the re-use, extension and conversion of buildings potentially permissible through paragraph 154 of the Framework, or through development against Class Q, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
52. None of the fall-back options suggested are directly comparable to the appeal scheme before me. Irrespective of whether they present a real prospect of coming forwards, based on the evidence before me, I am not satisfied that they would represent a more harmful approach to developing the site which would justify allowing the appeal proposal.
53. The re-use and conversion of the existing buildings, (even with the potential for hypothetical extensions), would likely represent a more sympathetic form of development in the context of the rural character of the appeal site. Moreover, the

³ *Mansell v Tonbridge and Malling BC & others* (2017) EWCA Civ 1314 & *Gambone v SSCLG* [2014] EWHC 952 (Admin)

absence of additional two storey development would represent a betterment both in respect to Green Belt openness as well as the effect on the living conditions of the occupiers of 5 Manor Cottages. I have therefore given the fall-back positions presented limited weight, even in the acknowledgement that the proposal may benefit the occupiers of Homebush, generate CIL contributions, deliver BNG and additional planting which the fall-back positions may not.

Green Belt Balance

54. The proposal constitutes inappropriate development in the Green Belt which would also cause harm to the openness of the Green Belt. I attach substantial weight to the associated Green Belt harm. Furthermore, the proposal would not represent a suitable location for development, would amount to harm to the character and appearance of the area through the urbanisation of the site, and harm to the living conditions of the occupiers of a neighbouring property. In addition, I cannot be satisfied that the proposal would have an acceptable effect on protected species. These are additional other harms to which I have assigned significant weight.
55. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Taken together, the other considerations put forward carry moderate weight. It follows that the substantial weight to be given to Green Belt harm, together with the significant weight to which I have given to the other harms identified, are not clearly outweighed by other considerations in this case. Therefore, the very special circumstances required to justify the proposed development do not exist.

Other Matters

56. The proposal has received support from an interested party, partially on the basis that the demolition proposed as part of the proposal would allow a more efficient use of space and that the scheme would better use the existing built form to provide suitable and well-designed housing in a more appropriate location. Whilst the support is noted, as is outlined above, I have concluded that the proposal would not be a suitable form of development in respect to numerous factors.
57. The application was partly refused on the basis that the appellant failed to provide sufficient information to satisfy the Council that the development could satisfactorily mitigate against recreational disturbance to the Thames Basin Heath Special Protection Area. Although a unilateral undertaking in relation to this matter has been submitted at appeal stage, the Council has raised several issues with the drafting of this document. Had I found the appeal scheme to be acceptable in all other regards it would have been necessary for me to examine this matter in further detail. However, as I am dismissing the appeal for other reasons, no further consideration is required.

Conclusion

58. The proposal conflicts with the development plan when read as a whole and material considerations do not indicate that the appeal should be decided other than in accordance with it. I therefore conclude that the appeal is dismissed.

L Gardner
INSPECTOR