



Appeal Decision

Site visit made on 6 January 2026

by **S Simms BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 February 2026

Appeal Ref: APP/C3620/W/25/3374909

Crackerbarrel Farm, Horsham Road, Beare Green, RH5 4PQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Darren Litten against the decision of Mole Valley District Council.
 - The application Ref MO/2025/02194, dated 14 July 2025, was refused by notice dated 8 October 2025.
 - The application sought planning permission for the erection of one two-bedroomed bungalow without complying with a condition attached to planning permission MO/2023/0846/PLA dated 19 April 2024.
 - The condition in dispute is No 2 which states that: "The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the submitted documents and plan numbers D1 and Proposed Location Plan and Proposed Block Plan contained within the application and no variations shall take place."
 - The reason given for the condition is: "To accord with the terms of the submitted application and to ensure minimal impact on local amenity and the environment in accordance with Mole Valley Core Strategy policy CS14 and Mole Valley Local Plan policy ENV22."
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development 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 development on the openness and purposes of the Green Belt; 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 proposal.

Reasons

Whether inappropriate development

3. The permission to which the condition in question relates is for development that was inappropriate but approved in very special circumstances. The circumstances were that an annexe of similar size already had permission in this location and was a realistic 'fall back' with a similar effect on openness. I have no evidence that any

exceptions in paragraph 154 or that in paragraph 155 of the Framework apply and so conclude that the development would, like that permitted, be inappropriate.

Openness and purposes

4. The site is visually contained by hedgerow along the A24 and woodland alongside Horsham Road but is more open to properties to its south and west. The proposal would have a greater footprint, volume and massing than the permitted bungalow, due to its deeper plan and higher eaves. Whilst I accept that the site is large and the resulting built ratio therefore still low, the proposal would nonetheless have a greater impact on openness, both visually and spatially, amounting to moderate harm.
5. Whilst I have no evidence as to the purposes of including this land in the Green Belt, the site is to the west of the dispersed settlement of Beare Green, but not close to or between larger settlements. It could therefore be expected at least to safeguard the countryside from encroachment. However, encroachment north of the farm has already occurred and permission exists for a smaller bungalow, so the harm to this purpose would be limited.

Other considerations

6. There is some dispute as to whether the proposed footprint would be 50% or 65% larger than permitted, but this results from internal rather than external dimensions being used. I am satisfied that external appearance is more relevant to assessing matters such as effects on the openness and purposes of the Green Belt. In any event, the larger footprint and higher eaves would result in a building significantly greater in bulk and massing than previously approved.
7. The 'fall-back' position, which previously constituted very special circumstances, would be a rather smaller development than that now proposed and therefore no longer realistically likely to be implemented instead of it. Consequently, I attach only modest weight to this as a material consideration.
8. To the south of the location of the proposal is a converted barn with high eaves and rooflights to rooms in its roof, to the south-west a bungalow with two dormer windows and, to the west, a two-storey house with a ramp down to a basement level and an unusual roof form, which is substantially built but not complete or occupied. The proposed design is somewhat better proportioned, less visible to and more in keeping with these buildings and I attach moderate weight to this.

Other Matters

9. I note the appellant's concerns in respect of communication and site visits during the application process and sympathise with the wish to seek common ground. Conduct of the application, however, is a matter to be taken up with the Council, and a pre-application enquiry may offer scope for discussion.

Planning Balance and Conclusion

10. The Mole Valley Local Plan 2020-2039 (MVLP) was adopted on 15 October 2024, two months before the Framework was issued in December 2024. Paragraph 232 of the Framework requires weight to be given to development plan policies according to their consistency with those of the Framework.

11. I have found that the proposal would be inappropriate development, have a greater impact on openness than that permitted and have a limited impact on the purposes of including land in the Green Belt. The Framework requires that substantial weight is given to any harm to the Green Belt, including harm to its openness. It goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
12. Together, the design benefits and diminished 'fall-back' position do not clearly outweigh the harm by reason of inappropriateness and the greater impact on openness and harm to Green Belt purposes. Therefore, the proposal is contrary to MVLP Policy EN1 and paragraph 153 of the Framework.
13. The proposed development would conflict with both the development plan and the Framework, and so the appeal should be dismissed.

S Simms

INSPECTOR