
Appeal Decision

Site visit made on 21 January 2026

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2026

Appeal Ref: APP/C3620/W/25/3375755

Rose Barn, Little Buckland Corner, Reigate Heath, Reigate Road, Buckland, Surrey, RH2 8QP (Easting: 523372 Northing: 150305)

- 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 Jeremy Hodgson against the decision of Mole Valley District Council.
 - The application Ref is MO/2024/2042/PLA.
 - The development proposed is retention of an outbuilding being used as an independent dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The building has already been converted to a dwelling and so the appeal has therefore been assessed on this basis.

Main Issues

3. The main issues are:
 - (a) whether the proposed 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; and
 - (b) the effect of the proposed development on the living conditions of occupants of the dwelling and existing neighbours with particular regard to privacy.

Reasons

4. The Framework stipulates that development in the Green Belt should be regarded as inappropriate unless it accords with one of the exceptions set out in paragraphs 154 and 155. Policy EN1 of the Mole Valley Local Plan 2024 (MVLN) is broadly consistent with the Framework's overall objective of seeking to protect the Green Belt from inappropriate development. However, as it pre-dates the Framework it does not fully reflect the extent of exceptions now allowed by national policy. Of particular relevance to this appeal is in relation to the redevelopment of previously developed land (paragraph 154 (g) of the Framework), and so the approach of the Framework is to be preferred in that context.
5. The Council appears to have assessed the proposal principally in relation to the reuse of the building (the exception set out in paragraph 154 (h) of the Framework) and also whether it constituted grey belt development (paragraph 155). The Council concluded that the proposal would not meet either of these exceptions.

6. The appellant's planning application and appeal both identified paragraphs 154 (h) and paragraph 155 but also paragraph 154 (g) as being supportive of the proposal. The Council has not provided a statement for this appeal and so has not chosen to rebut the appellant's case particularly with regard to paragraph 154 (g). None of the other exceptions to inappropriate development set out in the Framework were identified by the main parties as being relevant to the proposal.
7. The site is located in the open countryside albeit to the rear of existing residential buildings which themselves form part of a small group of dwellings at the western end of a narrow lane. Most of the nearby dwellings are two storeys in height and the dwelling to the north of Rose Cottage has a number of outbuildings within its curtilage. As such, whilst the area is predominantly rural and verdant the site's context is one in which there is a degree of built form close to it.
8. The Officer Report acknowledges the site to be previously developed land and I agree with this observation. Therefore, in the context of this appeal and with regard to paragraph 154 (g), the key issue is whether the proposal would cause substantial harm to the openness of the Green Belt.
9. The proposal involves the material change in the use of the building to a dwelling. There are some consequential changes to its external appearance but it would remain the same size and shape. At the time of my site visit the rest of the site was hard standing but given the site's planning history I have no reason to believe this is directly related to the conversion of the appeal building.
10. In comparison to its use as an outbuilding, rather than as a stables which is not an extant use, a dwelling could reasonably be said to result in some uplift in intensification and activity. This would find particular expression in such aspects as additional vehicle movements, domestic paraphernalia, light emissions from the building. These would inevitably have some adverse effect on the visual and spatial aspects of openness of the Green Belt.
11. The current version of the Framework requires that under paragraph 154 (g), the harm to openness must be substantial for the development to be considered inappropriate development in the Green Belt. This will necessarily entail a planning judgement but not one that simply identifies harm, as not all harm to openness will necessarily be substantial.
12. The Council notes, albeit not directly in relation to paragraph 154 (g), that the proposal would have a substantial impact on the openness of the Green Belt. This appears to be largely predicated on the existing development. However, having regard to the size of the building involved, which will remain unchanged, and that it provides only a single bedroom dwelling, then, in the context of this particular setting, the nature and likely scale of any harm to openness from the development would not be substantial.
13. In view of the above, I find that the proposal would not be inappropriate development in the Green Belt. Therefore, it would accord with the approach to development in the Green Belt as set out in the Framework and Policy EN1 of the MVLP insofar as it seeks to safeguard the Green Belt from inappropriate development.
14. As I have found that the proposal would not be inappropriate development in the Green Belt by virtue of paragraph 154 (g) of the Framework, it is not necessary for

me to consider whether it would accord with paragraphs 154(h) or 155 as this would not alter my findings in relation to paragraph 154 (g). As a further consequence, I also do not need to consider whether there are other considerations and whether they amount to very special circumstances to justify the development.

Living Conditions

15. The principal elevations of the appeal building and Rose Cottage face one another. The Council indicates that they are approximately 6m apart, a figure the appellant does not dispute. The appeal building has three glazed double doors facing towards Rose Cottage. These serve the building's main, open plan lounge and kitchen area. A further single door serving the bedroom uses obscured glazing. Rose Cottage has three large, glazed areas facing onto the appeal building, two of which appear to be openable doors. These similarly serve the main living/kitchen area of that property.
16. The separation distance between the two buildings would not change as a result of the proposal and the appeal building would maintain its maximum height of 2.7m. However, the use of the appeal building has changed from outbuilding to that of a separate, independent dwelling. As such, the nature of the relationship between the two buildings has inevitably changed too.
17. At my site visit I was unable to enter either building. Nevertheless, standing immediately in front of each of the three double doors of the appeal building it was relatively easy to see into Rose Cottage, its contents and occupant. Given the separation distances involved, the extent and positioning of the glazing/openings and the accommodation which they serve, the privacy of the occupants of both dwellings is significantly compromised.
18. I do not therefore agree with the appellant that the separation distance between the dwellings to be sufficient to protect the amenity of both occupiers. The appellant also points to the proposed introduction of a hedge between the two buildings. Whilst a planning condition might be able to ensure the retention of the hedge for an initial period of time, such planting can take time to become established, easily be removed, provide less protection at various times of the year or simply suffer disease and die. To my mind, it cannot be relied upon to provide the protection suggested.
19. Furthermore, even if I were to be persuaded that a hedge would be retained, it would need to be reasonably tall to be effective. This would in turn raise other considerations such as overshadowing, loss of light or outlook.
20. The appeal is accompanied by letters of support from current and former tenants of both buildings. However, occupants change over time and so will expectations of privacy. Furthermore, an assessment for planning purposes includes consideration of the development plan, which expects that the amenity of future occupiers and of residents occupying properties to not be significantly affected by loss of privacy. Having regard to the relationship and positions of the two buildings I have not found the arrangement to meet the development plan's expectations for future occupants or existing neighbours. As such, the submitted letters do not outweigh the harm I have identified.

21. I find that the proposal would cause harm to the living conditions of future occupants and existing neighbours with particular regard to privacy. It would therefore be contrary to Policy EN4 of the MVLP which, amongst other things, requires that the amenity of future occupiers and of residents occupying properties are not significantly affected by new development, including through a loss of privacy.

Other Matters

22. The Council indicates that it can demonstrate a sufficient supply of housing land although the appellant suggests the margins to be small and that neighbouring areas are failing to meet their requirements. Whilst I am mindful that the housing targets are not a cap on providing additional accommodation, the dwelling would make a very small contribution in numerical terms, with a similar level of impact upon the economy through its conversion and subsequent occupation. As such, any positive weight attributable to these matters would be limited by virtue of the scale of the proposal and would not outweigh the harm which I have found in this case.
23. There are a number of matters which were not contentious in this appeal such as the effect of the proposal on the character and appearance of the area, flood risk, highways/parking, trees etc. As these represent compliance with the necessary requirements and guidance they do not weigh positively in favour of the scheme and so are neutral factors in my decision.

Conclusion

24. Although I have not found the proposal to be inappropriate development in the Green Belt, the proposal would cause harm to the living conditions of occupants of the dwelling and to the neighbouring occupiers. The proposal therefore conflicts with the development plan taken as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

Stewart Glassar

INSPECTOR