



Appeal Decision

Site visit made on 18 January 2023

by Juliet Rogers BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 February 2023

Appeal Ref: APP/R3650/W/22/3298976

Land Centred on Coordinates 503838 133760 to the East of Loxwood Road, Alford, Cranleigh, Surrey GU6 8ET

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Hank Knight against the decision of Waverley Borough Council.
 - The application Ref WA/2022/00920, dated 10 March 2022, was refused by notice dated 12 May 2022.
 - The development proposed is described as the erection of two agricultural buildings and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of two agricultural buildings and associated works at Land Centred on Coordinates 503838 133760 to the East of Loxwood Road, Alford, Cranleigh, Surrey GU6 8ET in accordance with the terms of the application, Ref WA/2022/00920, dated 10 March 2022, subject to the following conditions:
 - 1) The development hereby permitted shall be retained in accordance with the following approved plans unless otherwise agreed by the local planning authority:
 - 20/96/3 Location Plans
 - 20/96/1 Plans
 - 20/96/2 Elevations
 - 2) No variation in the type and colour of the materials used in the construction of the external surfaces of the development hereby permitted shall made unless otherwise agreed by the local planning authority.

Preliminary Matters

2. The application form confirms the development was completed prior to submission. The Council have therefore assessed the scheme retrospectively. I have considered the appeal scheme on the same basis.
3. I have used the description of development from the decision notice in the heading and decision above as it more accurately reflects the appeal scheme.

Main Issues

4. The main issue of the appeal is whether the development is reasonably necessary for the purposes of agriculture.

Reasons

5. Retained Policy RD10 of the Waverley Borough Council Local Plan 2002 (the Local Plan 2002) stipulates that permission for agricultural related development will be permitted provided it meets several criteria. Of the criteria listed, the Council have stated the following as being determinative in its decision:

(a) the proposal is related to and located on an existing unit and is reasonably necessary for the purposes of agriculture.
6. Based on the evidence before me, I have no reason to doubt that the appeal site has been in agricultural use since a temporary planning permission for an agricultural barn was granted on 6 September 2013¹, I conclude that the barns are related to and located on an existing unit. The definition of the term 'reasonably necessary' is not defined within Retained Policy RD10, nor in its supporting text, requiring only that the Council will need to be satisfied that the proposal is reasonably necessary for the operation of the agricultural unit. No further details are provided specifying the evidence the Council requires to make this judgement.
7. During my site visit I observed the barns being used for the shelter and feeding of livestock kept on the appeal site. There were no other alternative suitable buildings for these purposes. I consider that it is reasonable and necessary for shelter and a feeding area to be provided to support the upkeep of the livestock grazing the site. Therefore, the barns are reasonably necessary in this respect.
8. My attention has been drawn to paragraph 112 of Circular 11/95², which states that 'a second temporary permission should not normally be granted'. Notwithstanding the previous temporary permission for the barns, as the appellant is not seeking a second, temporary permission, the aforementioned paragraph is not determinative in this case.
9. I conclude that the development is reasonably necessary for the purposes of agriculture and therefore accords with Retained Policy RD10 of the Local Plan 2002 in this respect. On the decision notice the Council also refers to Policy RE1 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites (2018). As this policy relates to safeguarding the intrinsic character and beauty of the countryside beyond the Green Belt it is not determinative in this case. Similarly, policies D1 and D4 of the Local Plan 2002 included on the decision notice are not determinative as they concern matters of design and the environmental implications of development.

Conditions

10. Given the barns have already been constructed, it is not necessary for me to impose a condition requiring the development to be commenced within a specified time limit. For the avoidance of doubt, I have imposed conditions

¹ Planning application ref: WA/2013/1127

² Circular 11/95: Use of conditions in planning permission

listing the approved plans and requiring any changes to the type or colour of the materials to be approved by the Council.

Conclusion

11. For the reasons given above, the appeal is allowed.

Juliet Rogers

INSPECTOR