



Appeal Decision

Site visit made on 11 November 2024

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 NOVEMBER 2024

Appeal Ref: APP/L3625/W/24/3341985

15 Lower Duxhurst Farm, Reigate Road, Sidlow, Surrey RH2 8QH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Phil Rowe against the decision of Reigate and Banstead Borough Council.
 - The application Ref is 24/00236/AGD.
 - The development proposed is erection of agricultural storage barn.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would be permitted development.

Reasons

3. The appeal proposal is for an agricultural building and in order to be considered permitted development it must be demonstrated that the building is reasonably necessary for agriculture. The building itself is shown to be 3.5m high to eaves and 4m to the ridge with an approximate footprint of 124m² and the land is in agricultural use.
4. The appellant has provided a supporting statement which outlines the total acreage of the land, and that the intention is to use the building to crop hay. The appellant has provided some details in relation to hay production; however, this is generic and does not relate to the appeal site in terms of how much hay is to be produced.
5. In that context, there is also little evidence provided to explain the type or scale of agricultural machinery needed in association with the land. For these reasons, it is therefore not possible to establish whether the building would be reasonably necessary on the basis of the evidence submitted.
6. Taking all matters into consideration, the submitted evidence does not go far enough to demonstrate, that the proposed building is reasonably necessary. As such, the proposal cannot benefit from permitted development rights granted by the GPDO.

7. As the proposal would not be permitted development, it is not necessary for me to consider the prior approval application any further. This would include whether the appeal proposed would be acceptable in terms of its siting, scale and appearance on the character and appearance of the area.

Other Matter

8. I acknowledge that Planning Practise Guidance advocates a light touch approach to prior approval appeals. However, this does not justify the lack of specific information in order to justify the need for the agricultural building on the appeal site.

Conclusion

9. For the reasons given above the appeal should be dismissed.

D Wilson

INSPECTOR