



Appeal Decisions

Site visit made on 21 January 2025

by V Bond LLB (Hons) Solicitor (Non-Practising)

an Inspector appointed by the Secretary of State

Decision date: 27 FEBRUARY 2025

Appeal A Ref: APP/M3645/C/23/3322983

Land at Allesley Farm, Old Farleigh Road, Warlingham, CR6 9PE

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended). The appeal is made by Surrey Van Centre Limited against an enforcement notice issued by Tandridge District Council.
 - The notice was issued on 27 April 2023.
 - The breach of planning control as alleged in the notice is Without planning permission, the material change of use of the Land from a mixed use comprising a residential dwelling and agriculture to a mixed use comprising a residential dwelling, agriculture and a motor vehicle dealership.
 - The requirements of the notice are: (i) cease the use of the land and buildings for the sale of vehicles (ii) Permanently remove all vehicles and other articles from the land and buildings that are associated with the use for vehicle sales (iii) Remove all vehicles and other articles that are not of an ancillary use to the lands authorised use.
 - The period for compliance with the requirements: two months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (e), (f), (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Appeal B Ref: APP/M3645/W/23/3315858

Allesley Farm, Farleigh Common, WARLINGHAM, CR6 9PE

- 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 SVC Specialist Vehicles against the decision of Tandridge District Council.
 - The application Ref is TA/2021/1682.
 - The development proposed is described as 'Retrospective use of the land and buildings for car sales'.
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Appeal A Decision

1. The enforcement notice is quashed.

Appeal B Decision

2. The appeal is allowed and planning permission is granted for material change of use of the land and buildings for car sales at Allesley Farm, Farleigh Common, WARLINGHAM, CR6 9PE in accordance with the terms of the application, Ref TA/2021/1682, and the plans submitted with it, subject to the conditions in the attached schedule.

Appeal A

The Notice and 'hidden' ground (e) appeal

3. The main parties have drawn my attention to issues with the enforcement notice, essentially that: (a) the notice plan incorrectly identifies the relevant planning unit and does not show the buildings currently on the land; (b) the notice incorrectly

states the previous use in the allegation as 'residential dwelling and agriculture'; (c) the requirements stipulate removal of items that are 'not of an ancillary use' to the land's 'authorised use' (which has not been correctly defined). I note also that the road name for the site should be 'Old Farleigh Road' as per appeal representations.

4. Following issue of the notice, alternative allegation wording was agreed to reference previous use for 'agriculture and livery'. It was agreed to amend the notice plan so this encompassed only the area used for car sales and the access shared with the livery. The appellant and Council are satisfied that these changes would not cause them injustice. However, the appellant identifies potential injustice to the livery operators, particularly as they were not served with a copy of the notice¹. The appellant also refers to previous commercial uses of the site.
5. The notice contains some significant errors as to the land in question and regarding former uses of the appeal site. It is though not defective on its face since it tells the appellant the nature of the breach alleged and what should be done to remedy this and so is not a nullity. Thus, submissions as to notice inaccuracies can be dealt with under the grounds of appeal, which I shall proceed to consider.

The appeal on ground (e)

6. The appeal on ground (e) is that the notice has not been served in accordance with s172 of the 1990 Act. The notice, as originally drafted, included an area of land which encompassed a separate and pre-existing livery use. This use was not referenced as a previous use in the allegation, but the corrected wording agreed by the main parties refers to this as the shared access is included in the site area.
7. The operators of the livery were not served with a copy of the notice and the Council makes no detailed comment in respect of this. Whilst I could potentially seek representations from the livery operators, this is complicated by the fact that there are significant variations that are required to be made to the notice. It would not therefore be appropriate to take this approach in the circumstances. The appeal on ground (e) succeeds and the enforcement notice will be quashed.

Appeal A Conclusion

8. I conclude that other parties have been substantially prejudiced by the non-service of the enforcement notice and this is not a case when I can exercise the power to disregard that non-service in accordance with section 176(5) of the 1990 Act as amended. The appeal succeeds and the enforcement notice will be quashed.
9. In these circumstances, the appeals on grounds (a), (f) and (g) and the application for planning permission deemed to have been made under section 177(5) of the 1990 Act (as amended) do not fall to be considered.

Appeal B

Preliminary Matters

10. The revised National Planning Policy Framework 2024 ('Revised Framework') came into force during the course of the appeal. The parties were given an opportunity to comment on this and submissions made have been taken into

¹ This constitutes a 'hidden' ground (e) appeal that the notice was not served as required by s172 of the Town and Country Planning Act 1990 ('1990 Act').

consideration. New evidence was submitted by the appellant after final comments² and was accepted due to this not being available earlier and potentially being of relevance. The Council was offered an opportunity for comment on this but no comment was made.

11. Interested parties have asked that I discard additional evidence introduced by the appellant in the appeal process. However, pursuant to s79(1) of the 1990 Act, I am permitted to deal with the application as if it were made to me in the first instance and am required to have regard to all material considerations including any arising since the date of the original decision.

Background and Main Issues

12. The appeal site is located in the Metropolitan Green Belt ('GB'). The Council takes the view³ that the appeal site represents 'grey belt' land, which has implications for applicable GB policies in the Revised Framework.
13. 'Grey belt' is defined in the Revised Framework as *'land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143'*. It excludes *'land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development'*. Footnote 7 ('FN7') in turn references policies including those related to protecting designated heritage assets.
14. As such, in order to assess whether the appeal site represents grey belt, I must first assess whether Revised Framework policies related to designated heritage assets would provide a strong reason for refusing or restricting development. Since the effect on the Great Farleigh Green Conservation Area ('CA') overlaps with assessment of the effect on the character and appearance of the area (including its location within an Area of Great Landscape Value ('AGLV')), I deal with these aspects together.
15. The main issues are therefore:
 - Whether the appeal development represents inappropriate development in the GB having regard to the Revised Framework and any relevant development plan policies (per paragraph 14 above to include the effect of the appeal development on (i) the character and appearance of the surrounding area (taking into consideration its location within the CA and in an AGLV); and (ii) on the setting of the Grade II listed building at Elm Farm House ('the FN7 Test');
 - The effect of the appeal development on the openness of the GB;
 - The effect of the appeal development on the living conditions of neighbouring occupants with particular regard to noise and disturbance; and
 - Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations⁴ so as to amount to the very special circumstances required to justify the appeal development

² Related to a recent grant of prior approval at Elm Farm (ref: TA/2024/1136/N)

³ In its comments in response to the newly published Revised Framework

⁴ Including an assessment of the appellant's submitted fallback position based upon claimed previous uses for dog boarding and car valeting/storage

Reasons

Whether inappropriate development

Local and National Policy

16. The fundamental aim of GB policy is to prevent urban sprawl by keeping land permanently open, and the essential characteristics of GBs are their openness and their permanence. Inappropriate development is, by definition, harmful to the GB and should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the GB by reason of inappropriateness, and any other harm resulting from the appeal development, is clearly outweighed by other considerations.
17. The appeal development effectively incorporates both re-use of existing buildings and a material change of use ('MCU') of a small area of land (being the open forecourt and access). These fall to be assessed under the exception in paragraph 154(h) of the Revised Framework for the re-use of existing buildings as explained below. The appellant also submits that a new exception at paragraph 155 in respect of development utilising grey belt land is applicable.
18. As to development plan policy, Policy DP10 of the Tandridge Local Plan Part 2: Detailed Policies (2014-2029) ('LP') states that within the GB, planning permission for any inappropriate development which is by definition harmful to the GB, will be refused in the absence of very special circumstances. Policy DP13 of the LP indicates that re-use of buildings outside of Defined Villages including for commercial purposes may be acceptable where: (i) it preserves the openness of the GB and the purposes of including land within it; (ii) the buildings are of permanent and substantial construction, are structurally sound and capable of re-use without major alterations, adaptations or reconstruction; (iii) the proposed use can be wholly or substantially contained within the building identified for re-use; and (iv) re-use is not likely to result in the need to construct new agricultural buildings.

The FN7 Test: (a) Effect on the CA (including overall effect on character and appearance)

19. The appeal site is located within the CA and within an AGLV⁵. No conservation area appraisal exists in respect of the CA but in my view it is characterised primarily by the open and green nature of the surroundings including an area of common land, along with wide grass verges sitting within a wider rural setting including agricultural land within the AGLV. It is a fairly small conservation area where the presence of trees and other greenery and typically generous set-backs from the road mean that small clusters of built development sit comfortably within the verdant open surroundings.
20. The appeal development does not entail the construction of any new buildings nor would any further hardstanding be created. The site is visually well-contained and is not readily apparent from the main road due to the presence of other existing structures. Land and buildings associated with the adjacent livery use are more prominent in the closest views from the public footpath due to these sitting forward of the appeal buildings and forecourt. More distant views from the footpath are

⁵ The Council's questionnaire confirms that the site is not within an Area of Outstanding Natural Beauty (now known as National Landscape)

significantly screened by established planting even in winter and are in the context of nearby residential development.

21. The modest size of the buildings and forecourt area practically limits the number of cars that can be parked/stored on site and the position of these could also be controlled by condition. The number of cars potentially visible from public viewpoints does not then have a dissimilar visual impact to those parked within residential curtilages which are visible from the main road.
22. The largely concealed position of the appeal site means that it is unlikely to attract passing trade. The modest site area also reduces the number of cars that can feasibly be parked/stored on site and so reduces the potential pool of customers. A vehicle dealership of this scale represents a relatively low activity use since it would generally see a far lower level of customers on a daily basis than, for example, a grocery shop use. The site also sits close to a busy main road which appears to see relatively fast moving traffic. The cars stored and activity would be essentially contained within an already built up part of the landscape and so there is no harm resulting either to the CA or the AGLV. Thus, additional activity from the appeal development does not result in any harm to the CA's character.
23. I conclude then that the appeal development does not have any harmful effect on the character and appearance of the surrounding area taking into consideration its location within the CA and within an AGLV. There is compliance with Policy DP20 of the LP which indicates that there will be a presumption in favour of development proposals which preserve and wherever possible enhance the historic interest, cultural value, architectural character, visual appearance and setting of the District's heritage assets and historic environment. I find no conflict either with Policies CSP20 or CSP21 of the Tandridge District Core Strategy (2008) ('CS') which seek, amongst other things, to conserve and enhance the special landscape character, heritage, distinctiveness and sense of place of the locality and to protect the District's landscapes and countryside for their own sake.
24. In reaching this conclusion, I have undertaken my statutory duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.

The FN7 Test: (b) Setting of the Grade II listed building

25. Adjacent to the appeal site is a Grade II listed building known as Elm Farm House. The listing description includes reference to this being originally of sixteenth century construction with some later rebuilding and with architectural features noted as including a large ridge stack and sash windows under cambered heads across the first floor.
26. The Council indicates that the LB's setting consists of the surrounding fields which reveal its origins as a historic farmhouse and that the open nature of the common is also especially important to understanding its origins. The appeal site is adjacent to the LB's grounds. There is some intervisibility between the two sites and the appeal site forms part of the surroundings in which the LB is experienced.
27. Whilst I can appreciate that surrounding fields and common land give an indication of the LB's origins, vehicle parking within the grounds of the LB itself is visible from the main road, as are other parked vehicles in the immediate area including in

connection with residential uses and a nearby florist⁶. The presence of cars and relatively low level of activity associated with the appeal development has not taken place within these fields but has occurred within existing buildings and a largely enclosed courtyard. This does not have any adverse impact on the openness of the LB's setting and does not detract from its historic origins. Potential for vehicle parking/storage on the access/public footpath situated between the LB and the appeal site also can be controlled by condition.

28. As I have detailed above, the level of activity associated with the appeal development is limited by the size and position of the site and nature of the use. The setting of the LB also includes the busy main road and in this context the level of activity associated with the appeal development would not result in any harm to the setting of the LB.
29. Taking all of these matters into account, I conclude that the appeal development preserves the setting of the Grade II LB at Elm Farm House. It complies with Policy DP20 of the LP which strives to protect, preserve and wherever possible enhance the historic interest, cultural value, architectural character, visual appearance and setting of the District's heritage assets and historic environment. In making this assessment, I have carried out my statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

Whether or not appeal site represents grey belt land

30. Since I have found that the appeal development preserves the character and appearance of the CA and setting of the LB, it follows that Revised Framework policies related to designated heritage assets do not provide a strong reason for refusing or restricting development. It is not therefore excluded from the definition of grey belt land on this basis.
31. As to whether the appeal site otherwise meets the definition of grey belt land, whilst the appellant submits that the site represents previously developed land, I do not have sufficient evidence to determine whether it was 'lawfully developed' per the Revised Framework definition. It will thus represent grey belt only if it does not 'strongly contribute' to any of purposes (a), (b), or (d) in paragraph 143.
32. Turning to these purposes, in view of the site layout and its position relative to surrounding development, the appeal development would not result in the unrestricted sprawl of large built-up areas or merging of neighbouring towns. There is no evidence of harm to the setting of any historic town and since the appeal development is a low key largely visually concealed use, I do not consider any harm in this respect to be likely. The site does not strongly contribute to purposes (a), (b) or (d) and represents grey belt.

Paragraph 155 exception

33. Per the paragraph 155 exception, development on GB land should only be regarded as not inappropriate where it meets with all applicable criteria⁷: (a) it utilises grey belt land and would not fundamentally undermine the purposes (taken

⁶ Although I appreciate comments that the florist use does not currently benefit from planning permission

⁷ Per a February 2025 clarification to the Revised Framework, it was confirmed for the avoidance of doubt that all paragraph 155 criteria must be met for development to fall within this exception

together) of the remaining Green Belt across the area of the plan; (b) there is a demonstrable unmet need for the type of development proposed; (c) it is in a sustainable location; and (d) it meets the 'Golden Rules' requirements⁸.

34. As regards criterion (a) there would be no undermining of purposes (a), (b) or (d) per my assessment above. As regards purpose (c), given the nature and position of the appeal site as outlined, there is no sense of encroachment into the countryside. There is no evidence to indicate that the appeal development would be contrary to the purpose of assisting in urban regeneration and so purpose (d) also would not be undermined.
35. As to criterion (b), whilst I note the appellant's comment that the development meets the appellant's need for premises for his car sales business with apparently 'few alternative sites available in the wider area', this does not meet criterion (b) since there is neither any evidence of a general need for this type of development, nor as to why the 'few' alternative sites available would be unsuitable. The appeal development does not therefore fall within the paragraph 155 exception and so falls to be assessed under the paragraph 154(h) exception.

Paragraph 154(h) exception

36. As outlined, the relevant exception is for the re-use of buildings, which can only be considered not inappropriate where it preserves openness and does not conflict with the purposes of including land within the GB.
37. While the appeal development also includes a MCU of land outside of the buildings, this is essentially limited to land required to access the buildings and to move between them. In my view, this falls to be assessed as part of a re-use of buildings given that the exception for the re-use of buildings would often be otiose if this did not permit inclusion of a small area of land outside of the building being re-used. This reflects also the wording of the same exception in Policy DP10.
38. I found above that the appeal development does not conflict with any of the purposes of including land within the GB. I therefore assess below its impact on openness, which the Courts have held has both spatial and visual dimensions.

Openness

39. As outlined above, the appeal site consists of a series of buildings located around a central courtyard along with the access from the main road, and is largely covered by hardstanding. The presence of vehicles on the courtyard and within buildings is well screened in views from the main road and are also not prominent from the public footpath. A planning condition could control layout to ensure that vehicles are not positioned closer to the site entrance where they would be more apparent in public views. On the available evidence, vehicles associated with the livery use could already be parked closer to the site entrance where they would be far more prominent from public vantage points.
40. The site sits behind a busy main road and adjacent to a number of dwellings, with a large care home in close proximity also. Whilst the wide verges and green space create a sense of openness, vehicles parked within the curtilages of surrounding dwellings and the nearby care home are visible from various public vantage points.

⁸ The Golden Rules are only applicable in respect of major housing development

In this context, vehicles stored/parked on the appeal site in association with the car sales use would not adversely impact openness.

41. The concealed nature of the appeal site renders it unlikely to attract passing trade, and the small site area and modest number of vehicles that could be accommodated reduces the pool of customers likely to access the site. A vehicle sales use of this scale is a low intensity use in terms of the number of visitors that would typically occur, which is reflected in the appellant's evidence as to the number of customer visits for vehicle sales over an 18 month period. As such, even taking account of the presence of staff on site, vehicle and other deliveries and access by other tradespeople in connection with the car sales use, it would not result in a level of activity that would be harmful to openness.
42. Turning to the specific stipulations of Policy DP13, there is no suggestion that the appeal buildings are not of permanent and substantial construction. The proposed use is substantially contained within buildings identified for re-use with other land included in the development essentially limited to land required to access the buildings and to move between them. There is nothing to suggest that the re-use would be likely to result in the need for additional agricultural buildings.
43. I therefore find on the first and second main issues that the appeal development is not inappropriate development in the GB having regard to the Revised Framework and relevant development plan policies, and would have a neutral effect as regards openness. There is compliance thus with Policies DP10 and DP13 for the reasons outlined, and with section 13 of the Revised Framework.

Living conditions

44. Whilst the appeal site is in a rural location, the ambient noise level is dominated by traffic noise from the busy main road. The appellant's Sound Assessment⁹ indicates essentially that rating levels from the main vehicle cleaning activities associated with the appeal development therefore fall below the background sound level, representing a low impact against BS 4142:2014+A1:2019 criteria. Noise levels from use of a power wrench in connection with tyre changing exceed background noise levels but were not deemed to have an adverse noise impact in view of the likely infrequency of this activity in this type of use. There is nothing to suggest that weather conditions at the time of the assessment distorted the results.
45. It was therefore concluded in the Sound Assessment that planning permission should not be withheld on noise grounds and this is in line with the Council's Environmental Health response which recommended effectively that operating hours conditions would be enough to make the development acceptable in terms of potential noise impacts.
46. In my view, the main types of activities occurring in connection with the car dealership use are the same sorts of activity that can occur in residential settings i.e. vehicle idling/revving and manoeuvring and use of jet washes and vacuums to clean vehicles. The size of the site necessarily limits the numbers of vehicles likely to be subject to these activities and the nature of the use as a vehicle dealership rather than as a primary vehicle washing/car valeting use reduces the likely frequency of these activities also.

⁹ RF Environmental Sound Assessment Technical Report RFE-0468-22-01-04 dated November 2022

47. The use of a power tool for tyre changing would be a more significant source of noise but again given the relatively small number of vehicles accommodated on the appeal site and the nature of the primary use for car sales, such activity would likely be for transient periods and infrequent. Power tools are used in connection with DIY home and garden activity and I do not consider that the likely level of use connected with the appeal development would be dissimilar to the frequency in some residential locations. In the context also of the ambient noise level from the road, these activities would not result in any material harm to the living conditions of neighbouring residents, subject to the imposition of appropriate conditions restricting operating hours, activities and deliveries.
48. The appellant has produced figures in relation to the number of visits made by customers inspecting and collecting vehicles over an 18 month period. As I would expect for this type of use, a car sales business typically does not rely on high levels of customer visits. As such, and even taking into account staff movements, deliveries and potential visits from specialist contractors, a car sales use of this scale is a fairly low intensity use. The level of activity and nature and volume of sounds would not result in any material harm to the living conditions of neighbouring residents subject to appropriate conditions.
49. The officer's report makes reference to harm to potential living conditions of neighbouring occupants with regard to outlook/overlooking albeit that this was not referenced in the reasons for refusal. In my view, given the low level of activity associated with this use, any overlooking would not have a materially different impact to that potentially arising from agricultural use. The number of cars on site also would not be enough to result in a harmful loss of outlook given that many of these would be within buildings.
50. Thus, I conclude that the appeal development does not have a materially harmful effect on the living conditions of neighbouring occupants with particular regard to noise and disturbance. There is no conflict with Policy DP7 of the LP which seeks to ensure that new development does not significantly harm the amenity of neighbouring properties including by reason of noise, air or light pollution, or general disturbance. There is compliance also with Policy CSP18 of the CS which stipulates that development must not harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any other adverse effect.

Other Matters

51. An appeal decision in the local area in respect of a crematorium development has been referred to¹⁰ and I have been asked to treat this as a precedent. However, planning applications are necessarily determined on their own merits and there are numerous factual distinctions between the crematorium development and the appeal development, including that the former included the erection of a crematorium building with a footprint of some 500 square metres.
52. Inconvenience to neighbours by customers seeking directions to the appeal site is likely to be infrequent and to reduce in occurrence in conjunction with increased use of online directions that accurately direct drivers to particular business addresses. There is no substantive evidence to indicate any material harm by reason of pollution, ecological harm or as regards health and safety. The Council

¹⁰ APP/M3645/W/21/3270921

has not indicated any highway safety issues associated with the appeal development and there is no detailed evidence which would lead me to a different conclusion (subject to appropriate conditions).

53. Legal issues connected to parking on private land do not fall to be dealt with under the Planning regime and the same is true of any obstructions of the public footpath. If any intentions of the appellant to expand the business were to manifest into further or different development, this would fall to be assessed on its own merits.

Conditions

54. A number of conditions have been suggested by the Council in the event that I were to allow the appeal; small changes have been made in the interests of clarity and enforceability. No commencement condition is required since the change of use has already commenced. Hours of operation and for vehicle deliveries and collections, along with cleaning and valeting and mechanical works are restricted in the interests of the living conditions of neighbouring residents. I have adopted slightly shorter operating hours than those recommended by the Environmental Health Officer in view of the position of nearby residential properties.
55. A condition will be imposed in relation to parking and turning space and regarding arrangements for the delivery and collection of vehicles in the interests of highway safety. This condition has been worded to account for the fact that the development has already been carried out. Conditions to restrict parking/storage of vehicles outside of the spaces identified, and requiring customer visits being by appointment only are necessary in the interests of the character and appearance of the area and of highway safety. Given the constrained nature of the site, the condition requiring parking and turning spaces to be maintained will also have the effect of limiting the numbers of cars that could practically be accommodated on site while being prepared for sale/being ready for sale.
56. As to comments that restricting the number of cars on site will not prevent on street parking, on the available evidence, it appears that parking on crossovers in the immediate area would not be legal as the land is privately owned. There is no evidence demonstrating that parking in the wider area would result in highway safety or visual harm. If parking on these crossovers were permitted, presumably numerous residential properties would also park there in which case, any relatively limited increase resulting from the appeal use would be unlikely to result in highway safety, spatial or visual harm.
57. The Council has not explained why a condition requiring visits to be by appointment only would be unenforceable and I have no reason to find it so, bearing in mind that this is a relatively common form of condition for a variety of businesses. I acknowledge that the nature of the appellant's business model is currently for high end vehicles and via an online model and comments that this cannot be secured. However, given the relatively low level of activity associated with a car sales use of this scale, the precise nature of the car sales business is not something that needs to be controlled in any event.

Appeal B Conclusion

58. For the reasons given above the appeal should be allowed. I have slightly amended the description of development in my formal decision to remove the

superfluous reference to development being retrospective and to make reference to a 'material' change of use to reflect the definition of development in the 1990 Act.

V Bond

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The use hereby permitted shall only take place between the following hours:
0900 - 1730 Mondays - Fridays
0900 - 1630 Saturdays
The use hereby permitted shall not take place on Sundays or on Bank or Public holidays and customer visits to the appeal site in connection with the use hereby permitted shall be by appointment only.
- 2) Deliveries and collections of vehicles shall only take place between 1000 – 1600 on Mondays to Saturdays (inclusive) and not at any time on Sundays or on Bank or Public Holidays.
- 3) Cleaning and valeting of vehicles associated with the use hereby permitted using pressure washers, vacuum cleaners and other machinery shall be operated only between 1000 – 1600 on Mondays to Saturdays (inclusive) and not at any time on Sundays or on Bank or Public Holidays.
- 4) Mechanical works to vehicles associated with the use hereby permitted and including dent repair and changing tyres on vehicles using a powered impact wrench shall be carried out only between 1000 – 1600 on Mondays to Saturdays (inclusive) and not at any time on Sundays or on Bank or Public Holidays.
- 5) Unless within 2 (two) months of the date of this decision the parking spaces and turning area for the use hereby permitted have been laid out in accordance with the approved Block plan dated 6.12.21 showing marked areas for 20 showroom bays and two staff/customer parking bays submitted under application reference 2021/1682, the use of the site as hereby permitted shall cease and all vehicles equipment and materials brought onto the land for the purposes of such use shall be removed until such time as the said parking spaces and turning area are laid out.

Upon laying out of the parking spaces and turning area specified in this condition, these shall thereafter be retained for the parking, delivery, collection and turning of vehicles associated with the use hereby permitted and all vehicles must be able to enter and leave the site in forward gear.

There shall be no parking/storage, delivery or collection of vehicles associated with the use hereby permitted outside of these marked areas and for the avoidance of doubt no deliveries or collections shall take place directly from the adjacent highway or from the site access road/public footpath.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/M3645/C/23/3322983	Surrey Van Centre Limited
Appeal B	APP/M3645/W/23/3315858	SVC Specialist Vehicles