



Appeal Decisions

Site visit made on 1 July 2025

by **S Wilkinson BA, BPI, Dip LA, MBA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 July 2025

Appeal A Ref: APP/K3605/W/24/3355851

Woodlands Park Stables, Woodlands Lane, Stoke d'Abernon, Cobham, Surrey, KT11 QA

- 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 J Hyatt against the decision of Elmbridge Borough Council.
- The application Ref is 2024/0603.
- The development proposed is replacement and new access tracks to grazing paddocks, subdivision of grazing paddocks and installation of stockproof fencing and close board fencing and hedgerows to dog exercise compounds.

Appeal B Ref: APP/C3620/W/25/3362908

Woodlands Park Stables, Woodlands Lane, Stoke d'Abernon, Cobham, Surrey, KT11 2QA

- 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 J Hyatt against the decision of Mole Valley District Council.
- The application Ref is 2024/1561.
- The development proposed is replacement and new access tracks to grazing paddocks, subdivision of grazing paddocks, installation of stockproof fencing, close board fencing and hedgerows to dog exercise compounds. Erection of close board fencing and widening of eastern access.

Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The appeal site straddles the administrative areas of Elmbridge Borough Council (EBC) and Mole Valley District Council (MVDC) with just a small portion of the site's eastern end included in the latter. Given that the policies used by each are different I have addressed these in the body of this decision.
4. The description of proposed development included in the application form submitted to each authority was the same. The proposed development included in the appeal forms submitted to PINS was also the same but differed from that included in the application forms. The local planning authorities altered the description of development reflecting the exigencies of the scheme before them. I have included their descriptions in the banner headings above as I consider that these accurately reflect the proposed development in their administrative areas. The appeals have been determined on this basis.

5. During my site visit it was evident that various works had been completed which include the sub division of the site and works to the access road and alterations to an entrance on Woodlands Lane within MVDC. Whilst these works appear to be consistent with the proposed scheme I have determined the application on the basis of the plans before me.
6. The appellant's statements include comments on the conduct of officers within each Council. These are not planning matters which relate directly to the main issues which will determine this appeal.
7. The Development Plan of EDC comprises the Core Strategy 2011 and Development Management Plan 2015 and for MVDC comprises the Local Plan adopted in 2024.

Main Issues

8. There are several main issues consistent with both decisions as follows:
 - Whether or not the appeal scheme is inappropriate development and the effect of the proposal on openness and the purposes of including land within the Green Belt,
 - The effects on landscape character and appearance with particular reference to trees, and
 - Whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations such as to provide the very special circumstances required to justify development in the Green Belt.
9. A further issue in respect of the decision of EBC:
 - The effect of the proposal on priority habitat
10. Two further issues relate solely to the decision of MVDC:
 - Whether or not highway safety would be prejudiced, and
 - The effects of the scheme on surface water drainage.
11. These matters will be considered as part of the overall planning balance.

Reasons

Green Belt

12. The National Planning Policy Framework, (the Framework) identifies that the fundamental aim of Green Belt policy is the prevention of urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts is their openness and permanence. Paragraph 153 of the Framework requires that substantial weight is given to any harm to the Green Belt.
13. Adopted policies EBC DM17 and MVDP EN1 are broadly consistent with the Framework in resisting inappropriate development unless very special circumstances prevail. Planning Practice Guidance identifies that openness includes both spatial and visual changes, duration of the development and increases in activity arising.

14. The entire site is located within the Metropolitan Green Belt. A public footpath runs through the southern edge of the site although this is overgrown. Historic aerial photographs identify the site as divided into paddocks with access points taken from Woodlands Lane. This allows access to stables (which are still present on the site) towards the site's western end although other stables have been cleared. The M25 motorway forms the site's southern edge with the curtilage of the Woodlands Park hotel forming its western, northern and eastern boundaries.
15. Paragraph 143 of the Framework identifies that Green Belts serves five main purposes. These include a) checking the unrestricted sprawl of large built up areas, b) preventing neighbouring towns merging, c) safeguarding the countryside from encroachment, d) preservation of the setting of and special character of historic towns and e) assisting in urban regeneration. Given the site's location beyond Stoke D' Abernon and Oxshott it makes a singular contribution to purpose c). No evidence is before me with regard to the other purposes included in Paragraph 143.
16. The appeal scheme is designed to improve an existing equestrian centre and create smaller paddocks with five dog compounds designed for owners to exercise their dogs which would be located close to the site's western access. It appears from the aerial photographic evidence that the proposed route of the extended track would occupy parts of the site which were formerly occupied by stables. However, I am satisfied that the proposed access road and parking area would extend beyond the footprint of these buildings and the proposed tracks represents a significant development of greater scale than the previous track. It would adversely impact on openness.
17. The appeal scheme includes the extension and widening of the existing access track to link both access points on Woodlands Lane and includes new hard core entrances to three of the proposed paddocks within the site comprising hardcore and road planings. The new access would be used to allow vehicular movement and the parking of horse boxes. The whole site would be divided by post and line fencing into 16 plots with stable blocks located in several of these.
18. Paragraph 154 defines categories of development which are regarded as not inappropriate in the Green Belt and includes facilities for outdoor sport and recreation subject to the preservation of openness. The use of the site for equestrian activities and the nature of the proposed fencing falls within the exemption but the proposed dog paddocks which are subdivided by 1.8m high close boarded fencing adversely impact on openness.
19. Whilst Paragraph 154h)ii. includes engineering operations these are subject to a test requiring the preservation of openness. However the proposed extended road would, by reason of its length, new height and materials used would adversely impact on openness. Significantly whilst the appellant states that the new works are only partially completed following their cessation in February 2024, the road has not grassed over and remains a distinct urban feature. The close boarded fencing at the site's western end together with the creation of separate compounds would adversely impact on openness. Together these operations undermine the site's contribution to Paragraph 143 and purpose c).
20. The scheme would conflict with policies EBC DM17 and Paragraphs 143c) and 153 of the Framework.

21. In respect of the proposed works to the eastern part of the site which lies within MVDC the extended access road and close boarded fencing would be contrary to MVDP EN1 and Paragraphs 143c) and 153 of the Framework which both seek to protect the openness and permanence of the Green Belt by resisting inappropriate development.

Landscape character

22. The site's landscape character is consistent with that of the wider area comprising small scale agricultural fields used as grazing pasture interspersed by tree belts and small woodland blocks. These lie in an undulating landscape which extends around Oxshott and Stoke D'Abernon.
23. The historic ariel photographs demonstrate that the site maintained this character until around April 2020 when works commenced. The western access and stable buildings were not dominant elements in April 2020 being subservient to and consistent with the character of the natural landscape surrounding the site. I acknowledge that much of the parking areas would be on land previously occupied by buildings but the proposed arrangement at the western and eastern access points and along the northern boundary adversely impact on the site's landscape character and has involved the removal of trees.
24. Policies EBC CS14, DM2 and DM6 require that development respects the Boroughs network of multifunctional open spaces and that local landscape character is preserved and does not adversely impact on trees.
25. Policies MVDC EN4 and EN9 require development to respect local landscape character and natural assets.
26. The appeal scheme would significantly alter the site's contribution to local landscape character with the development of the dog compounds involving 1.8m high close boarded fencing which would entirely close off views of the site from Woodlands Lane. Insufficient planting information has been provided for the new hedgerows suggested by the appellant.
27. Whilst the proposed access track would not be easily visible from Woodlands Lane its extent, raised height, materials and length compared to that which existed in July 2022 would be an intrusive feature adversely impact on the site's natural landscape character. The materials used have not been greened over as the appellant suggests despite the road being in place since February 2024. It is unclear from the appeal scheme whether this road has affected the tree belts which lies immediately north of the site. There could, for example be an impact on root protection areas.
28. I conclude that the appeal scheme conflicts with policies EBC CS14, CS17, DM2 and DM6.
29. Whilst the proposed landscaping to the site's eastern access would partially mitigate for the intrusive nature of the new vehicular access it would be insufficient to reduce entirely the impact on the site's rural character and would not mitigate for the full length of the access road.
30. Insufficient information has been provided on the number and species of trees removed at the site's eastern end around the extended access point.

31. I conclude that the appeal scheme conflicts with policies MVDC EN4 and EN9.

Additional main issue EDC

Priority habitat

32. The western edge of the appeal site and the woodland to the north of the proposed access track are defined as a Priority Habitat.
33. Trees have been removed to accommodate the proposed dog paddocks in the period from April 2020 to June 2021. Whilst the appeal scheme does not extend into the woodland to the north of the site the new road extends right up to the boundary of the woodland.
34. No evidence has been provided by the appellant on the potential impact of this on this area of habitat as required by policies CS15 and DM21. Furthermore, the appellant has not demonstrated how the appeal scheme could achieve the 10% Biodiversity Net Gain (BNG) as required by the Environment Act 2021.
35. The Council's adopted policies are consistent with the Framework in seeking the protection and enhancement of biodiversity. The appeal scheme fails to identify how it could address this. I conclude that it conflicts with policies CS15 and DM21.

Additional Main issues MVDC

Highway Safety

36. The appeal scheme includes the creation of significant alterations to the vehicular access at the eastern end of the site onto the A245 Woodlands Lane. My site observations identifies that this is a busy road with no speed restrictions, lights or footways. No evidence has been provided on the proposed sight lines to this junction, the capacity of this access and the categories and number of vehicles and other traffic anticipated to use this access.
37. Whilst the Highway Authority requested further details in consideration of the application no additional material has been supplied by the appellant to address the Council's objection. The proposed works to the existing access require planning permission and although the appellant states sight lines would remain unchanged given the anticipated change in volume of traffic this matter needs further consideration.
38. Paragraph 116 of the Framework advises that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety. The absence of sufficient detail consistent with the appellant's intention to upgrade the site as an equestrian centre does not allow an appropriate assessment of the new junction's likely impact on highway safety.
39. Accordingly, I conclude that this aspect of the proposed scheme conflicts with MVDP INF1.

Surface Water Drainage

40. Policy INF 3 requires applications for planning permission to demonstrate how they would reduce or mitigate for flood risk.

41. The application was not accompanied by a site specific flood risk assessment as required by Paragraph 176 and footnote 63 of the Framework.
42. In the absence of this evidence the appeal scheme conflicts with policy INF3 and Paragraph 176 of the Framework.

For both Appeals A and B

The Green Belt balance - whether very special circumstances exist

43. It has not been demonstrated that very special circumstances exist to warrant an exception to adopted national and local policy which require the protection of the permanence and openness of the Green Belt. Whilst the appellant has indicated that the principle driver for the scheme is to enhance equestrian facilities and develop dog exercise paddocks the harm arising from the scheme to the permanence and openness of the Green Belt overcomes any benefits arising.
44. The appeal site fulfils Purpose 143c) of the Framework in protecting the countryside from encroachment. The appeal scheme conflicts with this purpose conflicting with policies EBC DM17 and MVDP EN1.

Planning balance for both appeals

45. The appeal scheme would allow improved and enhanced equestrian facilities and a series of dog exercise compounds. However, the nature of the proposals would adversely impact on the openness and permanence of the Green Belt and local landscape character.
46. Given that the Green Belt and landscape context of the site is central to this decision, other matters could not be addressed through the imposition of planning conditions, were I minded to allow these appeals.
47. The appeal scheme does not demonstrate how important issues including highway safety, flood risk, Priority Habitat and BNG could be appropriately addressed.

Appeal A

48. In conclusion, I conclude that the appeal scheme conflicts with policies on the Green Belt and landscape character and no evidence has been submitted to demonstrate how the scheme contributes to BNG. These matters weigh heavily against the scheme.
49. For these reasons the appeal is dismissed.

Appeal B

50. In conclusion, I conclude that the appeal scheme conflicts with policies on the Green Belt and landscape character and no evidence has been submitted to demonstrate how the scheme would maintain highway safety and protect surrounding areas from surface water flood risk.
51. For these reasons the appeal is dismissed.

S Wilkinson

INSPECTOR

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/K3605/W/24/3355851	Mr J Hyatt
Appeal B	APP/C3620/W/25/3362908	Mr J Hyatt