



Appeal Decision

Site visit made on 22 July 2025

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th August 2025

Appeal Ref: APP/R3650/W/24/3336314

Hyde Orchards, Hyde Lane, Churt, Farnham, Surrey GU10 2LP

- 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 Sheena Billiald against the decision of Waverley Borough Council.
 - The application Ref is WA/2023/01171.
 - The development proposed is the erection of a new agricultural building.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of a new agricultural building at Hyde Orchards, Hyde Lane, Churt, Farnham, Surrey GU10 2LP in accordance with the terms of the application, Ref WA/2023/01171, subject to the following condition:
 1. The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: PAD/PL/01, Location Plan and Block Plan.

Preliminary Matters

2. The application form states the development was completed in November 2020. During my visit, I noted that the building was complete and that the structure accords with the application plans before me. The building contained a kitchen, bathroom and two rooms with beds. Notwithstanding what I saw on site, my decision is based on the description of development for which planning permission has been sought and the drawings provided.
3. On 22 November 2023, all designated Areas of Outstanding Natural Beauty (AONB's) in England and Wales became 'National Landscapes' (NLs). I have therefore specifically referred to the Surrey Hills AONB as the Surrey Hills NL.

Main Issues

4. The appeal site is within the Green Belt, so the main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to any relevant development plan policies and the Framework; and,
 - the effect of the proposal on the character and appearance of the area.

Reasons

Whether inappropriate development

5. The site is located within the Green Belt. Paragraph 153 of the Framework sets out that substantial weight should be given to any harm to the Green Belt, and that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 of the Framework states development in the Green Belt is inappropriate unless exceptions apply. One of these exceptions is buildings for agriculture or forestry.
6. Policy RE2 of the Waverley Borough Local Plan Part One: Strategic Policies and Sites (Local Plan Part one) advises that the Green Belt will be protected against inappropriate development in accordance with the Framework.
7. The parties agree that the building is located on agricultural land and the application seeks permission for an agricultural building. In support of this, the appellant states that the building is required as an office, store and day rest area for rural workers.
8. The Council consider that the building is not reasonably required for agriculture and set out that the activities proposed could be accommodated within existing buildings. In making this assessment they rely on the requirement in The Town and Country Planning (General Permitted Development) (England) Order 2015 (Part 6, Classes A and B - 'Agricultural and Forestry') which details that buildings and other works must be "reasonably necessary for the purposes of agriculture within that unit". However, this test relates solely to the consideration of whether a proposal would be permitted development and should not be used when considering a planning application seeking permission for an agricultural building in the Green Belt. Accordingly, there is no requirement for the appellant to demonstrate that the building is reasonably necessary for agricultural purposes.
9. Reference is made to the current internal layout and contents of the building. However, my decision is based on the description of development sought and the drawings provided. If the building is used for purposes other than agricultural, it would be open to the Council to take enforcement action, if expedient to do so.
10. For the reasons given above, I conclude that the proposal is for an agricultural building. Therefore, it would not be inappropriate development in the Green Belt and would be compliant with Policy RE2 of the Local Plan Part One.

Character and Appearance

11. The appeal site is located on a farm to the rear of a large agricultural building. It is located within the Surrey Hills NL. The amended duty on relevant authorities in respect of their interactions with statutory purposes of National Landscapes, requires relevant authorities in exercising or performing any functions in relation to National Landscapes, to seek to further the purpose of conserving and enhancing the natural beauty of these areas.
12. The natural beauty of the Surrey Hills NL is in part derived from its landscape of mosaic farmland. The appeal site as a farm which extends to 25 acres is part of this recognised landscape and contains a farmhouse, cold store, storage shed, farm shop and smaller buildings which are grouped together.

13. The buildings on site vary in appearance, there are examples of buildings erected from corrugated metal, breeze blocks and others are timber clad. Despite differences in size and finishes the buildings all have a rural agricultural appearance in keeping with the farm setting and wider landscape.
14. The appeal building is clad in timber and therefore has a similar external appearance to the farm shop. Reference is made to the building having a domestic appearance but given its modest size, rustic timber finish and lack of fenestration, I do not agree. Whilst the building has low eaves this is comparable to the farm shop and does not imply that the building has a domestic appearance.
15. Reference is made to the building appearing contextually unrelated to the wider site and being awkwardly positioned to the rear of the large agricultural shed. Given the varied nature of buildings on site, the appeal building does not appear out of place. In addition, its position behind the existing group of buildings, result in it appearing as part of the farm buildings that serve the holding.
16. For the above reasons, the agricultural building has an acceptable effect on the character and appearance of the area. It therefore conserves and enhances the natural beauty of the NL by supporting farmland which positively contributes to the beauty of the NL. The development is therefore compliant with Policy TD1 of the Local Plan Part One and Policy DM4 of the Waverley Borough Local Plan Part Two: Site allocations and Development Management Policies¹. Amongst other things, these policies seek high quality and inclusive design that responds to the distinctive character of an area.

Other Matters

17. Third parties refer to the application being made without the owner of Hyde Orchards being aware. However, the requisite ownership certificate and agricultural land declaration has been completed in the application form.
18. Reference is made to various unauthorised activities on the land including the residential use of the building that is the subject of this appeal. This appeal is based on the description of development for which planning permission has been sought and the drawings provided. As a result, any unauthorised use of the building that is the subject of this appeal or unauthorised activities on site would be a matter for the Council to pursue if expedient to do so.

Conditions

19. Given that the building has been erected the standard time condition is not necessary. A condition to list the approved plans is necessary in the interest of certainty.

Conclusion

20. For the reasons given above the appeal is allowed.

V Goldberg

INSPECTOR

¹ Adopted in March 2023