



Appeal Decision

Site visit made on 27 August 2025

by **E Dade BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16th September 2025

Appeal Ref: APP/R3650/W/25/3360774

Brookhurst Grange, Holmbury Road, Ewhurst, Cranleigh, Surrey GU6 7SJ

- 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 L Middleton against the decision of Waverley Borough Council.
 - The application Ref is WA/2024/01262.
 - The development proposed is change of use of recently constructed agricultural barn for dual agricultural and equestrian use.
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Decision

1. The appeal is allowed, and planning permission is granted for change of use of recently constructed agricultural barn for dual agricultural and equestrian use at Brookhurst Grange, Holmbury Road, Ewhurst, Cranleigh, Surrey GU6 7SJ in accordance with the terms of the application, Ref WA/2024/01262, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with drawing nos: 1320/01A *Existing Site Layout Plan*; 1320/02B *Existing Floor Plan and Elevations*; 1320/03A *Site Location Plan and Block Plan*; 1320/04A *Proposed Floor Plan and Elevations*; RCo513/01 01 *Proposed Landscape Layout*.
 - 2) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons from the date of this decision; and any trees or plants which within a period of 5 years from the date of this decision die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Preliminary Matters

2. The application form describes the proposed development as the “continued use” of the existing barn. However, this wording is not a description of development. Therefore, in my decision and in the header, I refer to the barn’s ‘change of use’.
3. The application form’s description acknowledges the barn is in use for equestrian purposes. At time of my decision, the change of use has therefore occurred.
4. Schedule 2, Part 6, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) provides permitted development rights for certain works on agricultural land within agricultural units. In June 2020, the Council concluded that prior approval was not required in respect

of an application for prior notification for an agricultural storage barn¹. The appellant confirms that this decision prompted the construction of the barn that is the subject of this appeal.

5. The appellant acknowledges there are slight differences between the constructed building and the details submitted with the prior approval application. Such differences include the arrangement of fenestration which the appellant considers to be *de minimis*, and alterations to the internal layout which the submitted legal opinion suggests would not require planning permission.
6. The Council confirm that the barn that is the subject of this proposal is of the same siting, length, width, depth, and height as the barn which was granted prior approval. I have no compelling reason not to consider the existing barn as having been lawfully constructed in accordance with the permitted development rights afforded by the GPDO.
7. A scheme broadly similar to the current appeal proposal was recently dismissed at appeal². At paragraph 5 of the previous appeal decision, the Inspector notes apparent differences between the submitted drawings and the situation on-site, and determined the proposal on the basis of the submitted plans.
8. Following my site visit, I am satisfied the plans submitted in respect of the current appeal proposal accurately depict the building as constructed. The current appeal therefore removes differences between the proposed drawings and as-built development. The proposal therefore differs from the former scheme through the quality of evidence submitted, which demonstrates there would be no increase in built volume arising from the proposal.
9. Consistency in decision-making is an important tenet of the planning system, and a previous appeal decision is capable of being a material consideration where the previous decision is sufficiently closely related to the issues that regard should be had to it. However, the circumstances regarding the determination of the current appeal proposal materially differ from the previous appeal decision. I have determined the appeal on the basis of the planning consequences of the proposed change of use of the existing building.

Main Issues

10. The main issues in this appeal are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies; and
 - The effect of the proposal on the character and appearance of the Surrey Hills National Landscape and Area of Great Landscape Value (AGLV).

Reasons

Whether inappropriate development

11. The appeal site comprises an existing barn set within a larger agricultural holding which also includes equestrian activities and facilities. The proposal seeks a

¹ LPA ref: AG/2020/0006

² Appeal decision reference: APP/R3650/W/23/3318285

change of use of the barn to facilitate both agricultural and equestrian activities related to the rearing and breeding of alpacas and horses. The site is within the Metropolitan Green Belt.

12. Policy RE2 of the Waverley Borough Local Plan Part 1 2018 (LP1) protects the Green Belt against inappropriate development in accordance with the Framework.
13. Paragraph 154 of the Framework identifies certain forms of development which are not inappropriate within the Green Belt. Such exceptions include buildings for agriculture³. Furthermore, the provision of appropriate facilities (in connection with the existing use of land or a change of use) including buildings for outdoor sport and outdoor recreation⁴ and the re-use of buildings provided that the buildings are of permanent and substantial construction⁵, are not inappropriate development provided they preserve openness of the Green Belt and do not conflict with the purposes of including land within it.
14. At paragraph 12 of the previous appeal decision, the Inspector identifies horse riding as an outdoor sporting or recreational pursuit and considers stable buildings as capable of falling within the exception set out in Framework paragraph 154(b). Therefore, the proposed dual use of the building for agricultural and equestrian purposes is not incompatible with its Green Belt location.
15. The concept of 'openness' has both spatial and visual elements. As discussed above, the barn was constructed following the Council's determination of the prior approval application. The planning status of the lean-to which is proposed to be removed is unclear. Nonetheless, the proposal would not increase the built volume of the lawfully constructed building. Therefore, the spatial effects of the proposal would be neutral.
16. The existing building has a typical, utilitarian agricultural appearance, with a pitched roof and finished in green metal sheeting. At paragraph 14 of the previous appeal decision, the Inspector accepts the building is located a significant distance from the highway, and mature planting along boundaries filters views of its built form, with views of the building typically limited to locations within the agricultural holding. Therefore, differences in the facade of the prior approval scheme and the barn as built, and as shown in the appeal proposal's drawings, would have no material visual impact upon Green Belt openness.
17. It is a condition of Part 6 Class A of the GPDO that where the use of the building for the purposes of agriculture within the unit permanently ceases within 10 years from the date on which the development was substantially completed, the building must be removed and the land restored.
18. In the previous appeal decision, the Inspector concluded that, on the basis of the available evidence, it was unclear whether the building would still be reasonably necessary for the purposes of agriculture⁶. The appellant has provided further information to confirm that the building is necessary to maintain agricultural activity relating to the breeding and keeping of alpacas and, in the event the appeal is dismissed, the barn would be used wholly for agricultural purposes. The scheme proposes a dual use including agriculture and I have no compelling reason to

³ Paragraph 154, criterion (a)

⁴ Paragraph 154, criterion (b)

⁵ Paragraph 154, criterion (h) (iv)

⁶ Paragraph 34 of appeal decision 3318285

consider agricultural activity on the site would be likely to permanently cease or that circumstances necessitating the removal of the barn would occur.

19. Moreover, the assessment for the re-use of buildings at Framework paragraph 154(h) (iv) requires consideration of the building's construction. The existing barn is not a temporary building; it has a concrete base and a fixed metal structure and is therefore of both permanent and substantial construction.
20. At paragraph 36 of the previous appeal decision, the Inspector suggests that equestrian use is likely to result in increased activity on the site. However, this conclusion was taken within the context of a potential fallback position relating to an existing agricultural use as hay storage. The Council assert the equestrian facilities require a higher maintenance and upkeep than agricultural uses.
21. However, there is potential for outdoor storage/parking associated with the lawful agricultural use, and the agricultural activity of rearing and breeding of alpacas would be likely to generate activity on site in the interests of animal welfare. Equestrian uses are permitted on the wider land holding, such as the existing sand school. I have no compelling reason to consider the dual equestrian use of the barn would significantly exceed the intensity of use associated with rearing livestock. Moreover, I have no substantive evidence to suggest the intensity of activity would materially affect Green Belt openness.
22. In the previous appeal decision, the Inspector concluded that "when the spatial effects and more limited visual effects of the proposal are taken together, there would be moderate harm to the openness of the Green Belt"⁷. For the reasons discussed above, the previous Inspector's assessment was predicated on the addition of built form, rather than the re-use of a building of permanent and substantial construction. Conversely, I consider the proposal would not result in the introduction of a new building within the Green Belt. Therefore, to reach differing conclusions in respect of whether the proposal satisfies the Framework's criteria for inappropriate development is justified and would not be inconsistent with the previous appeal decision.
23. As set out above, the proposal would involve the re-use of a building of permanent and substantial construction. In the absence of any increase in built volume, the proposal would have a neutral effect on openness and would not conflict with the five Green Belt purposes described by paragraph 143 of the Framework. Therefore, the proposal would preserve Green Belt openness.
24. The proposal would satisfy criteria (b) and (h)(iv) of Framework paragraph 154, and therefore the proposal would not comprise inappropriate development in the Green Belt.
25. Since the proposal would meet the exceptions described at Framework paragraph 154, it would comply with LP1 Policy RE2. In addition, as the proposal would involve no increase in the building's scale, mass, height, volume, or floorspace, the proposal would comply with Policy DM14 of the Waverley Borough Local Plan Part 2 2023 (LP2) which provides criteria for extensions, alterations, replacement buildings, and limited infilling in the Green Belt.

⁷ Paragraph 16 of appeal decision 3318285

Character and appearance

26. The site is distant from the highway of Coophurst Lane, set back by a long access track. The surrounding landscape comprises agricultural land and woodland, and therefore the site is in a rural, countryside location.
27. The existing building is set in a gravelled area within a wider land holding which is mainly laid to grass pasture, comprising paddocks for grazing. The building has a utilitarian, agricultural appearance, and therefore does not appear out of keeping with its rural context. Next to the appeal site is a sand school for the training of horses⁸. Therefore, both existing agricultural and equestrian uses are formative of the area's character.
28. The site is within the Surrey Hills National Landscape. This is a Protected Landscape whose statutory purpose is to conserve and enhance the natural beauty of the area. Section 245 of the Levelling-up and Regeneration Act 2023 (LURA) places a duty on relevant authorities to "seek to further" this purpose.
29. LP1 Policy RE3 prioritises the protection and enhancement of the character and qualities of the National Landscape. The site is also within the locally designated "Area of Great Landscape Value", an area to which Policy RE3 affords the same principles for protection as within the National Landscape. In addition, paragraph 189 of the Framework requires "great weight" be given to conserving and enhancing landscape and scenic beauty in National Landscapes, affording the "highest status of protection" in relation to these issues.
30. The submitted Landscape Appraisal identifies the site as within a character area influenced by its underlying geology, with an elevated and undulating landform, consisting of a mosaic of pastoral fields, large arable fields and woodland blocks. There are small copses, tree belts, gill woodland, and large individual mature trees, and hedgerows line field boundaries and the road network, and woodland and tree cover provide enclosure and limit long distance views in some locations. The area has a rural, tranquil landscape, with a sense of remoteness and intimacy due to woodland/tree cover and limited influence from roads and settlement.
31. In the previous appeal decision, the Inspector identified that due to the extensive boundary screening, the building's relatively low height, distance from the nearest highway, and the topography of the land, views of the proposal are limited. Consequently, the building is not prominent within views from or into the National Landscape⁹.
32. The Council considers the scale, bulk and mass of the existing building detracts from the character of the National Landscape. However, as discussed above, the proposal represents a change of use of the existing building. Therefore, there would be no increase in the scale or volume of built development, and thus in this regard the effects of the proposal upon the landscape character and beauty would be neutral.
33. The Council considers that changes from farmland to equestrian uses are to the detriment of the appearance and character of the National Landscape. However, the proposal relates to change of use of a building, and I have no evidence before me to suggest the proposal would increase outdoor equestrian activities or render

⁸ LPA reference: WA/2022/01040

⁹ Paragraph 21 of appeal decision 3318285

existing agricultural uses unviable. Therefore, the proposal would not diminish farmland within the National Landscape.

34. As discussed above, I am satisfied the intensity of use associated with equestrian activities use would not significantly exceed existing agricultural activities, such as rearing livestock. Therefore, I consider the effects of the proposal to be neutral in this regard.
35. The proposal would include planting of a ribbon of native species trees and shrubs to the edge of the sand school and new planting areas north of the Brookhurst Grange barn parking area. Looking southeast and southwest from the footpath which runs east-west across the Brookhurst Grange site, the Landscape Appraisal identifies a “low / slight beneficial” visual impact from the proposed planting, which would soften perceptibility of the barn and sand school for users of the footpath¹⁰. Therefore, the proposed planting would have a small positive impact on the natural beauty of the area and would thus further the purpose of the National Landscape.
36. For the reasons set out above, the proposal would conserve and enhance the character and appearance the Surrey Hills National Landscape and AGLV.
37. The development would be contrary to LP1 Policies TD1 and RE3, and LP2 Policies DM1 and DM4, which require development respond to the distinctive local character of the area in which it is located, protect and enhance the character and qualities of the Surrey Hills National Landscape and AGLV, maximising opportunities to enhance such assets, and respond effectively to its surroundings, reinforcing local distinctiveness and landscape character.

Conditions

38. In the interest of certainty, I have attached a condition specifying the approved plans. In addition, I have imposed a condition to secure and maintain the proposed planting. Such condition is necessary to enhance the landscape and scenic beauty of the National Landscape and to further its purpose.

Conclusion

39. For the reasons given above, having regard to the development plan taken as a whole and all other relevant material considerations, I conclude the appeal should be allowed.

E Dade

INSPECTOR

¹⁰ Viewpoints 04, 05, 06