
Appeal Decision

Site visit made on 21 October 2025

by **S Lo LLB M.SRA**

an Inspector appointed by the Secretary of State

Decision date: 30th October 2025

Appeal Ref: APP/L3625/W/25/3369219

2 East Lodge Farm, Rocky Lane, Reigate, Surrey RH1 3DS

- 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 Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Pearce Property Group Ltd. against the decision of Reigate and Banstead Borough Council.
 - The application Ref is 25/00365/PAP3R.
 - The development proposed is the change of use of part of an agricultural building to a flexible commercial use (Use Class B8) within the provision of Class R of Schedule 2, Part 3 of the GPDO 2015 (as amended).
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Under Article 3(1) and Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, planning permission can be granted for development consisting of a change of use of a building and any land within its curtilage from a use as an agricultural building to a flexible use falling within one of the following provisions of the Use Classes Order; (a) Class B8 (storage or distribution) of Schedule 1; (b) Class C1 (hotels) of Schedule 1; or (c) Class E (commercial, business or service) of Schedule 2. This is subject to limitations and conditions. Correlating with the description of the proposed development, the appellant has confirmed their intention to facilitate a self-storage use falling within a B8 use class, rather than a Class C1 or Class E use.
3. Where an application is made for prior approval for development, the local planning authority may refuse the application where it considers that the proposed development does not comply, or that the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with the conditions, limitations or restrictions that are applicable to such permitted development.
4. The Council has referenced development plan policies in its decision notice. The principle of development is established by the GPDO and the provisions of Schedule 2, Part 3, Class R of the GPDO do not expressly or otherwise require determination of the appeal on the basis of s38(6) of the Planning and Compulsory Purchase Act 2004. As such, I have had regard to the policies of the development plan and the National Planning Policy Framework (the Framework) only in so far

as they are a material consideration relevant to the matters of prior approval specified for Class R.

5. The appellant has expressed concerns that the Council issued its refusal shortly after receiving advice from the Highway Authority, which they consider did not allow sufficient time to submit clarifying information. Nevertheless, the appellant has since had the opportunity to provide this information during the course of the appeal. I am therefore satisfied that this matter has been adequately addressed and does not have a material bearing on my decision.
6. The appellant has submitted a number of documents in response to the Council's transport concerns, including a Transport Statement, Written Representations on Transport, and a Transport Rebuttal Statement. It is understood that some plans were unintentionally omitted from earlier documents but included later. For clarity, I refer to all of these documents collectively as 'the Transport Statement'.

Main Issue

7. Schedule 2, Part 3, Class R3 (1) of the GPDO provides, in summary, that in relation to development proposed under Class R, the developer must apply to the local planning authority for a determination as to whether prior approval of the authority will be required as to the transport and highways impacts of the development. This is specifically required where the cumulative floor space of the building that has changed use within an established agricultural unit exceeds 150 square metres. Although there are other prior approval requirements, this is the only one in dispute. Additionally, the provisions of Paragraph W (prior approval) apply in relation to that application.
8. Within this context, the main issue is whether the proposal would comply with the requirements under Schedule 2, Part 3, Class R of the GPDO, with particular reference to the transport and highways impacts of the proposed development.

Reasons

Parking

9. The appeal site is located at East Lodge Farm and forms part of a group of buildings clustered around the farmyard. The red line plan for the appeal site includes an agricultural building, some associated hardstanding and the access track. This existing single-track route leads to Rocky Lane, which connects to the A23 London Road. Rocky Lane has no street lighting or footways, so it is likely that users of the appeal site would be highly reliant on private transport.
10. It is unclear what level of parking provision, if any, was previously made for the agricultural use of the appeal site. Nonetheless, the appellant has stated that the proposed development would provide a maximum of four car parking spaces, in accordance with the Council's standards for B8 use class developments. Although the standards specify a requirement of '1 lorry space per 200 square metres' for B8 storage and distribution uses, the appellant has confirmed that the largest vehicle anticipated to access the proposed development would be a 7.5-tonne box van. The plans indicate four car parking spaces (including one disabled space), two large parking spaces suitable for 7.5-tonne box vans, and two cycle parking spaces. This level of provision appears proportionate to the scale and nature of the proposed use of the site.

11. These individual parking spaces are not delineated on the submitted plans and are instead shown collectively as a proposed parking area to the front of the existing barn. Nonetheless, the specific number and arrangement of spaces are set out in the Transport Statement. Data provided by the appellant indicates that the anticipated daily parking accumulation would be two vehicles, equating to approximately 33% of the total parking provision, leaving four spaces available to accommodate fluctuations in demand. The Parking / Servicing Swept Path Analysis drawings in the Transport Statement indicate that a 7.5 tonne box van can enter, access the proposed parking/loading spaces, manoeuvre within the wider service area, and exit the site in a forward gear. The Refuse Vehicle / Access Swept Path Analysis also indicate that a refuse vehicle can also enter and exit the site access in a forward gear and turn within the wider service area.
12. Although the appellant has confirmed that the necessary vehicle manoeuvres would take place on land within the wider service area under their ownership, many of these manoeuvres would take place on land which lies outside the red line boundary of the submission. Importantly, it is the land within the red lined area which is sought approval for and to which any new use would apply. However, a substantial part of the turning and manoeuvring areas would be located outside this red lined area. Consequently, if permitted, the continued operation of the proposed B8 use would be reliant on land beyond the defined application site boundary. This raises concerns regarding the long-term viability of the proposal, particularly in the event that the appeal site, and the permitted use in accordance with the red lined boundary, were to be sold, leased to third parties, or if the surrounding land were to be subdivided or otherwise separated.
13. If access to the land beyond the red-lined boundary, required for reaching the parking spaces and enabling vehicles to manoeuvre and exit the site in a forward gear, were to be restricted or withdrawn, the appeal site would no longer be capable of operating safely or effectively. This could lead to vehicles being displaced and parked in unsuitable locations, such as along the access road or even on the public highway, thereby posing a risk to highway safety. In practical terms, the development is dependent on access to this adjoining land for essential vehicular movements, yet this land is not included within the red-lined area. The Council has identified this as a concern, and it is agreed that this is a fundamental issue with the proposal as submitted.
14. While it is acknowledged that the appellant currently owns the surrounding land, the proposal's reliance on land outside the application site introduces an unacceptable degree of uncertainty regarding its ability to operate effectively within the confines of the red line boundary. The proposal, therefore, lacks the necessary self-containment and raises concerns about its long-term sustainability and the transport and highways impact of the development.
15. For this reason, the proposed development is unacceptable in relation to this prior approval matter and therefore should not constitute permitted development in respect of Schedule 2, Part 3, Class R.

Trip generation

16. The appellant's Transport Statement includes trip generation data derived from an analysis of comparable self-storage sites. Specifically, the figures were obtained using the TRICS database under the land use category '02 – Employment / E

Warehousing (Self Storage)'. The dataset was restricted to sites in England (excluding Greater London), located in edge-of-town and suburban areas, with a Gross Floor Area of between 1,350 and 3,000 square metres, and covering the period 2016–2021. Although the proposed development would result in a significantly smaller warehouse use (approximately 491.4 sqm), there is no indication that this dataset is otherwise unsuitable for assessing the proposal, given its location and the intended B8 Storage use class. Using this data, it was extrapolated that the proposed change of use would typically generate three two-way vehicle trips during the morning peak hour and two two-way trips during the evening peak hour.

17. To assess the impact of these predicted trips, a comparison was made with data from an Automatic Traffic Count survey conducted over a one-week period on Rocky Lane. Based on the existing traffic levels, the data indicated that the additional trips arising from the proposed development would result in a marginal increase in traffic activity (less than 1%) during both the morning and evening peak hours.
18. The appellant has described the appeal site as being currently vacant, but still in agricultural use. As such, specific quantitative data on trip generation associated with its agricultural use is unavailable. In any event, it is reasonable to assume that the lawful agricultural use would have generated some level of associated traffic, such as deliveries and the movement of machinery. When assessed against current traffic conditions where this use does not exist, the data suggests that the proposed development would likely result in a minimal increase in traffic activity. Accordingly, I am satisfied that the proposed development, in terms of trip generation, would result in an acceptable level of impact on both the operation of the local highway network and overall highway safety.
19. As such, this aspect of the proposed development would result in acceptable highway and transport impacts in relation to this prior approval matter.

Visibility

20. It is agreed between the parties that the sight lines for access to the appeal site should have sight lines calculated using specific criteria depending on the speed limit or actual speed of traffic. Data from speed surveys has been used to facilitate these calculations.
21. The Transport Statement refers to the use of the *Manual for Streets* (MfS) methodology for calculating visibility splays. While there is disagreement between the parties regarding the interpretation of the MfS guidance, the appellant has nonetheless agreed to revise the proposed access junction visibility splays in accordance with the more stringent requirements set out in *Manual for Streets 2*. The Transport Statement includes an updated Access Drawing reflecting these increased visibility distances, along both sides of the entranceway to the access road. As such, I am satisfied that a precautionary, worst-case scenario approach has been adopted.
22. No specific impacts, such as visibility constraints, junction capacity issues, or safety risks, have been identified that would indicate the proposal would result in a significant or material deterioration in highway safety. There is no recorded history of accidents at the access point.

23. Although the appellant's Location Plan does not explicitly set out the land ownership boundaries, the relevant plans within the Transport Statement indicate that the appellant owns the relevant land adjacent to Rocky Lane. This ownership should enable the appellant to maintain the visibility splays on both sides of the proposed access. Given that the visibility splays have been calculated using a worst-case scenario approach, I am satisfied that adequate visibility for vehicles using the highway could potentially be provided on the ground. Notably, the land required to achieve the necessary sight lines also lies outside the red-lined area of the submission.
24. Given my finding that the parking and turning arrangements are unacceptable and that prior approval should be refused on this basis, it has not been necessary to consider whether the visibility splays could be secured as part of this proposal.

Other Matters

25. A number of additional concerns have been raised by interested parties. These include the location of the appeal site within the Surrey Hills National Landscape (formerly designated as an Area of Outstanding Natural Beauty), as well as its inclusion within an Area of Great Landscape Value. Concerns have also been expressed regarding the potential presence of wildlife within the building, including bats, owls, herons, deer, birds of prey, and migrating geese. Further objections relate to the existing use of surrounding buildings for the storage of luxury American-style motorhomes and RVs, and the availability of existing self-storage facilities within the local area. However, as the appeal relates to prior approval, the matters for consideration are restricted to those set out in the relevant paragraphs of the GPDO. Therefore, these other issues raised fall outside the matters I can consider.

Conclusion

26. For the reasons given above, I conclude that the proposal does not constitute permitted development due to the identified adverse transport and highway impacts. Accordingly, the appeal should be dismissed.

S Lo

INSPECTOR