
Appeal Decision

Site visit made on 15 October 2025

by **Stewart Glassar BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 3 November 2025

Appeal Ref: APP/C3620/W/25/3368459

Rusper Track, Rusper Road, Newdigate RH5 5BX

- 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 Kevin Gossage against the decision of Mole Valley District Council.
 - The application Ref is MO/2024/1173.
 - The development proposed is the erection of a forestry barn.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are a) whether the appeal site is an appropriate location for the proposed development having regard to local policies for the provision of buildings in the countryside; and b) the effect of the proposed development on the character and appearance of the area.

Reasons

Location

3. The Mole Valley Local Plan 2024 (MVLP) seeks to limit development in the countryside beyond the Green Belt. However, this does not place a complete prohibition on new development in the countryside and is an approach which is broadly reflective of the National Planning Policy Framework (the Framework).
4. Policy EN2 3(c) references buildings that are reasonably necessary to support agricultural, horticultural or forestry use of the site, in accordance with Policy EC6. The proposal is not for a building to support the forestry use of the appeal site, and so EN2 3(c) is not directly applicable to the appeal scheme. However, Policy EC6 itself permits a wider range of agriculture, horticulture and forestry development opportunities.
5. This includes new buildings for business purposes where it can be demonstrated that there is a reasonable prospect of a viable trade or business becoming established. In addition to this, the building must be for a purpose and scale reasonably necessary for the purpose of the existing or proposed agricultural activities within the holding; minimises harm to the character and beauty of the countryside; and does not replace buildings converted to alternative uses which could have continued to be used for agricultural, horticulture or forestry use.
6. In addition to the above, Policy EN2 3(b) permits the redevelopment of previously developed land, provided the proposed development, including associated uses

and activity, would not have an adverse impact on the rural character and largely undeveloped nature of the countryside, by reason of its scale, design or siting.

7. Furthermore, criterion 3(e) of Policy EN2 also permits 'non-residential development'. Such development must demonstrate that it will make a positive contribution to the rural economy; improve the range of services to local rural communities; a rural location is necessary and where the benefits clearly outweigh the harm to the character of the countryside; or specific strategic objectives of the Local Plan will be achieved.
8. The supporting text to Policy EN2 indicates that it applies similar restrictions to those under Policy EN1, which is a policy that relates specifically to Green Belt land. However, criterion 3(e) is said to provide additional flexibility to Policy EN2 where unforeseen proposals would support the Local Plan's strategic objective. However, any such proposals will be required to provide robust supporting evidence and that such developments are likely to be an exception rather than an expectation.
9. The appellant would not be the intended occupant of the new building and there is nothing formally linking the intended occupant to it should the appeal be allowed. Furthermore, the proposal would not be linked to or be required as a result of any onsite woodland management. Instead, it would be an adjunct to the proposed operators existing depot at Crawley Down, with their Countryside and Forestry Team moving out and relocating to the appeal site. There is no indication if this represents an expansion of the business or a new enterprise, nor how this relocation might be intended to help in either scenario.
10. The intended occupant indicates that the site would offer an outpost to allow access to the Surrey market and reduce travelling. However, their existing depot at Crawley Down is relatively close and within Surrey. There is no substantive explanation or exploration of the relative benefits of the appeal site as a location for the business.
11. Furthermore, there are few details to demonstrate how things might become established at the site. For example, there are no details as to how the construction of the building would be funded, the likely costs or any lease arrangements or timescales which might point towards the viability of the proposal.
12. The building is said to be bespoke for the proposed operator but again no details are provided as to how this differs from any other building used to store high sided machinery, equipment or vehicles. It is also suggested that the building has been designed to be the minimum necessary while still being viable yet no substantive evidence or information to demonstrate this has been provided.
13. Whilst tree work is likely to take place in rural locations, it appears that the proposal would be largely used for the storage of machinery/equipment and processing of offsite material. There is little compelling evidence to suggest that such a building is essential to the countryside location of the site or that the proposal supports the rural economy. The activities could be undertaken at sites within a settlement or on an allocated industrial site, given the overarching industrial nature and use of materials from multiple locations.
14. More importantly, much of the business justification for the operations appears to rest on the increasing price for firewood. Quotes from two research papers are

provided but not the documents themselves. Whilst the price may have risen in recent years no information on quantities (or their financial values) likely to be processed on site are discussed.

15. I acknowledge that it may be convenient for the intended occupant to be based at this site and that the policies are not prescriptive in terms of what information or evidence needs to be supplied in order to demonstrate compliance with them. Nevertheless, what has been submitted does not provide me with sufficient detail to be satisfied as to the long-term viability of the operations at the site, that it would support the local rural economy or that it accords with the relevant Local Plan policies or strategic objectives.

Character and Appearance

16. The appeal site is located outside of any settlement boundary and therefore lies, for planning policy purposes, within the countryside. The site itself is open land enclosed by trees. Although it has a more formal site entrance and the motocross course has had a physical effect on the landform, it nevertheless reads as a largely open and undeveloped piece of land.
17. There is very limited built form in the vicinity of the appeal site or along this part of Rusper Road. Where development can be seen it is generally integrated into the surrounding landscape and does not detract from the immediate character. In contrast, the proposal would introduce a sizeable building close to the site entrance along with a new area of hardstanding, inevitably altering the current open and largely undeveloped appearance.
18. It would be set behind the existing boundary planting along Rusper Road. However, this would not entirely screen the building which would be evident from the road, especially when the trees are not in full leaf. The proposed building would have a distinctly utilitarian and functional design. Together with the hardstanding it would be akin to a commercial storage/industrial operation in the open countryside. The nature, size and position of the building mean that it would be a prominent structure within the open countryside and out of keeping with the wider setting.
19. Some rural buildings can be utilitarian and functional in appearance and can be sizeable structures. Such buildings and the activities associated with them will usually have been justified on the basis of there being a demonstrable need for that building in that particular location. For the reasons given above, I have not found that to have been demonstrated in this case.
20. It is said that the on-site processing of cleared timber would be low. No details are provided as to quantities to be processed or where on site this would take place or where and how they would be stored. As a corollary to this, it is difficult to be sure as to the scale of any processing (or subsequent sales) and the extent to which they would remain ancillary activities.
21. Similarly, although it is indicated that the finished product would be distributed via sale, no details are provided such as the likely catchment area for customers nor any timings as to when sales might occur from the site. Given that the sale of material appears to underpin much of the business case for the site and operation, the absence of any detail is unhelpful.

22. Nonetheless, even if these aspects were to be modest in scale, I am not convinced there would be reasonable or enforceable planning controls available to prevent the processing and/or sales activities from potentially being upscaled in the future. This may not be the intention of either the appellant or intended operator at this time. However, planning permission runs with the land, and it is therefore necessary for me to consider the longer-term implications of allowing such a building and operation.
23. Furthermore, even at a modest scale the processing of material and any direct sales from the site would be added activity and give further prominence to the building and on-site operations.
24. The existing motocross site can be regarded as previously developed land albeit in my opinion it does not appear visually prominent or unduly harmful to the character and appearance of the area. The Framework supports the reuse of such land in supporting a prosperous rural economy. Likewise, Policy EN2 3(b) of the MVLP permits the redevelopment of such land. However, both require the development to be sensitive to the surroundings and thus not adversely impact the rural character of the area. For the reasons set out above, I have not found the development to meet these requirements. As such, the land being previously developed does not weigh heavily in favour of the proposal.
25. My overall finding on this issue is that the proposal would adversely affect the character and appearance of the area and that the factors cited in support of the building's design, siting and appearance do not mitigate the harm which would arise.

Findings

26. Drawing the above strands together, I do not find it to have been demonstrated that the appeal site is an appropriate location for the proposed development having regard to local policies for the provision of buildings in the countryside. Consequently, the proposal does not carry support from Policies EN2, EC6 and EN4 of the MVLP.
27. These policies seek, amongst other things, to ensure that new forestry buildings for business purposes demonstrate a reasonable prospect of a viable trade or business becoming established; demonstrate that it will make a positive contribution to the rural economy; improve the range of services to local rural communities; a rural location is necessary and where the benefits clearly outweigh the harm to the character of the countryside; or specific strategic objectives of the Local Plan will be achieved. Furthermore, such development should minimise harm to the character and beauty of the countryside and by reason of its scale, design or siting should not have an adverse impact on the rural character and largely undeveloped nature of the countryside.
28. The proposal would also run counter to the Framework which, amongst other things, seeks to support a prosperous rural economy whilst ensuring developments are sympathetic to local character and that the intrinsic character and beauty of the countryside is recognised.

Other Matters

29. I acknowledge that when operational the existing motocross use would attract people and generate activity likely to be in excess of the daily levels proposed by the forestry building and operations. However, unlike the motocross use, the proposal would involve significant permanent built form and be operational for more than the limited number of days per year of the motocross. As such, the existing use does not represent a fall back comparable to the proposal in terms of its overall impacts on the character and appearance of the site and wider area.
30. The proposal would result in the removal of the motocross course. As I have noted, the existing landform/topography has a limited impact upon the wider character of the area. No doubt, if left unmanaged, it would eventually return to a more natural state and its impact becoming even less noticeable. Notwithstanding this, more active management of the site is proposed. I have had regard to this aspect of the proposal and that a Biodiversity Net Gain in excess of the statutory minimum would be provided. Furthermore, there is nothing to suggest that the proposal would be unable to achieve compliance with the statutory condition. In these circumstances I give this aspect of the scheme moderate weight.
31. The appellant refers to an appeal decision from Guildford in 2024. I have not been presented with the full details so cannot be sure it offers a direct comparison. In particular, I note from the quoted paragraph that the site was within an area which included agricultural land, storage areas and various agricultural and residential buildings. Thus, the context appears different from the scheme before me. That a development was considered to accord with Green Belt policy does not necessarily mean it should be regarded as acceptable everywhere as different considerations need to be taken into account, such as the character and appearance of the area or other development plan policies. I therefore attribute limited weight to this previous decision.

Conclusion

32. There would be some beneficial aspects of the scheme. However, when considered overall, the development would cause harms which would conflict with the development plan taken as a whole. There are no other material considerations, including the provisions of the Framework, that outweigh this finding and lead me to determine the appeal other than in accordance with the development plan.
33. Therefore, I conclude that the appeal should be dismissed.

Stewart Glassar

INSPECTOR