



Appeal Decision

Site visit made on 10 December 2025

by L Douglas BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date 24 December 2025

Appeal Ref: APP/Y3615/C/24/3337142

Land at Land lying on the Northeast side of Old Lane, Ockham, Guildford KT11

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended) (the Act).
- The appeal is made by Mr Dennis Read against an enforcement notice issued by Guildford Borough Council.
- The notice was issued on 13 December 2023.
- The breaches of planning control as alleged in the notice are: Without planning permission, the use of the Land for storage purposes. Without planning permission, the laying of material to create a hard surface, approximately cross hatched in blue on the attached plan.
- The requirements of the notice are: i) Cease using the Land and Buildings for storage purposes. ii) Remove all items that are being stored on the Land and/or in buildings on the Land, including but not limited to, plant, equipment, machinery, vehicles, caravans, portable cabins, concrete blocks, temporary structures, material, fence panels, pallets and skips. iii) Remove from the Land all material that has been laid to create a hardsurfaced area, approximately cross hatched in blue on the attached plan. iv) Level the land to its previous level and seed with grass seed.
- The period for compliance with the requirements is two months after the notice takes effect.
- The appeal is proceeding on the ground set out in section 174(2)(a) of the Act. Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Decision

1. It is directed that the enforcement notice is corrected by the deletion of the text 'use' at paragraph 3 (titled 'the alleged breach of planning control') of the enforcement notice and the substitution of the text 'material change of use'. Subject to the correction, the appeal is dismissed, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the Act.

Preliminary Matters

2. The appellant did not attend the pre-arranged site visit. I carried out an unaccompanied visit while the Council's representative waited outside the site, in case the appellant arrived late. I did not engage in any conversations, or discuss any matters relevant to the appeal, with the Council's representative.
3. The notice refers to two alleged breaches of planning control: one concerning the use of the land, and the other concerning the laying of a hard surface. The use of land for storage only comprises development requiring planning permission if there has been a material change in the use of the land. It is clear from the submissions that there is no dispute that a material change in the use of the land to storage purposes has taken place. I shall therefore correct the description of the first breach to ensure it refers to this act of development without causing injustice.

4. The appeal is proceeding under ground (a) only. Although the first breach refers to the use of the land for storage in general, the appellant seeks temporary planning permission for the land to be used specifically for the storage of forestry related items, including: plant, equipment, machinery, one caravan, concrete blocks, fence panels, pallets and one skip. As this is a type of storage which could be controlled by conditions, and as these are items required to be removed from the land by the notice, this forms part of the breach. I shall therefore consider whether temporary planning permission should be granted for the storage of items associated with a forestry use of adjacent land, as specified by the appellant.

Main Issues

5. The main issues are:
- Whether the development would be inappropriate development in the Green Belt;
 - The effect of the development on the openness and purposes of the Green Belt;
 - The effect of the development on the character and appearance of the area;
 - The effect of the development on highway safety; and
 - Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the development.

Reasons

Whether inappropriate development

6. The National Planning Policy Framework (the Framework) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework clarifies that development is inappropriate in the Green Belt unless one of various exceptions applies. Policy P2 of the Guildford Borough Local Plan: strategy and sites 2015 – 2034 (2019) (LP1) mirrors the Framework in this regard.
7. Paragraph 154(a) of the Framework states that buildings for forestry are not inappropriate development. There is a single building on the land, which has the appearance of a double stable block. There is no evidence to show how this may be used for the storage of plant, machinery or any other items associated with forestry on adjacent land. Moreover, the erection of the building does not form part of the breach of planning control. I therefore find that the exception to inappropriate development at paragraph 154(a) of the Framework does not apply in this case.
8. Paragraph 154(h) of the Framework states that other forms of development will not comprise inappropriate development provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it, including material changes in the use of land and engineering operations. I shall return to this in the second main issue. The other criteria at paragraph 154 are not relevant.
9. Following on, paragraph 155 of the Framework sets out other criteria (a) to (d), where development in the Green Belt should not be regarded as inappropriate if all

those criteria are met. Looking first at criterion (b), there needs to be a demonstrable unmet need for the type of development. Limited information has been provided to suggest this may be the case, aside from a Woodland Management Plan¹ (WMP) and a felling licence² for woodland at Brick Kiln Farm, adjacent to the appeal site.

10. The Council's Arboricultural Officer commented on these documents, noting that the proposed volume of timber to be harvested would be relatively small, could be completed within a matter of weeks to a few months, and it would normally be expected that associated machinery would be parked within the woodland. The appellant did not take up the opportunity to respond to these points, but they claim the need to store plant and machinery associated with forestry on the site has come about due to enforcement issues on other land and war games taking place within the woodland, which complicates storing items there.
11. There is very little to show any plant, machinery or other items required to carry out forestry activities on any land need to be stored at the appeal site. Moreover, although the Council's Arboricultural Officer suggested a hardstanding could be used for the placing of a harvesting head, there is no explanation from the appellant as to why the hard surface in this case is needed.
12. Notwithstanding the presence of any war game activities or other enforcement issues on adjacent land, on the limited information provided, I am unconvinced that there is a demonstrable unmet need for the hard surface or the temporary storage of plant, machinery, or any other items associated with the forestry use of adjacent land. The development would not therefore benefit from the exception to inappropriate development outlined at paragraph 155 of the Framework.

Openness and purposes

13. Paragraph 142 of the Framework explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristics of Green Belts being their openness and permanence. Paragraph 143 sets out the purposes Green Belts serve, which include to assist in safeguarding the countryside from encroachment. Openness is therefore a fundamental quality of the Green Belt, which has spatial and visual aspects.
14. The site is located amongst open, rolling fields and woodland, and forms part of a countryside setting. It can be seen in views from Old Lane, and a public footpath runs through/around the site. Although I could partially see buildings and activities on land immediately to the south of the site, it is for the most part a secluded location, away from development.
15. Very few items were present on the site during my visit, save for a touring caravan and some other small items, but I can see how plant and machinery would be notable features in views from Old Lane and the public footpath. Such items would likely be low-level in height and cover a limited area. However, they would remain prominent in this largely undeveloped rural location and would be seen and experienced as the encroachment of development, detrimental to the Green Belt's openness in a visual and a spatial sense. In comparison, the hard surfaced area

¹ By Nicholson's, Ref: 22-1914, dated 8 February 2023

² Forestry Commission application ref: 019/532/2023, dated 9 May 2023

does not harm the openness of the Green Belt due to it not being raised from the ground, its small area, and it only being obvious from within the site.

16. The harm caused to the openness of the Green Belt by the temporary storage of items associated with forestry on adjacent land would be limited on account of the low-level height of the items stored and the relatively small area covered by them. However, the Framework is clear in stating that substantial weight should be given to any such harm.
17. Returning to paragraph 154(h) of the Framework, the development would not preserve the openness of the Green Belt or avoid conflict with the purposes of including land within it. The exception to inappropriate development at paragraph 154(h) of the Framework does not therefore apply.
18. To conclude on the first and second main issues, the development would constitute inappropriate development in the Green Belt and would conflict with the purpose of the Green Belt to assist in safeguarding the countryside from encroachment. Moreover, the temporary storage element would also cause harm to the openness of the Green Belt in a visual and a spatial sense.

Character and appearance

19. As set out above, the site is a rural and secluded location where the diggers and plant in particular would be conspicuous by their uncharacteristic presence in views from Old Lane and a public footpath. In these views the development would be an odd feature for the countryside, which would not have the appearance of the kind of development normally associated with the scale of forestry activities set out in the WMP and the felling licence, even for a temporary period.
20. I note other activities taking place on nearby land, but there is limited information to show that such activities may be lawful or ordinarily expected in this area. The commencement of forestry activities on nearby land would not change this view.
21. The development would therefore harm the character and appearance of the area, contrary to Policy D1 of the LP1 and Policy D4 of the Guildford Borough Local Plan: Development Management Policies (2023) (LP2). These require, amongst other things, development to respect local character and respond positively to its surroundings.

Highway safety

22. The site is accessed from Old Lane by a narrow unmade track. There is good visibility for cars in both directions from the access onto Old Lane, but it remains unclear what types and sizes of vehicles will rely on this access in association with the development, or their anticipated frequency of visits to/from the site. I am also mindful that the width and unmade nature of the access track, and the apparent absence of formal visibility splays, could potentially present hazards for vehicles entering or exiting the site from/to Old Lane.
23. It is claimed that other traffic enters and exits the site in connection with a lawful forestry use, and that the development would not result in any increase. However, I have not been provided with details of anticipated vehicle movements, and the appellant's suggestion that upholding the notice would result in plant and machinery being moved into and out of the site more frequently is unsubstantiated. For example, it is unclear how items stored on the land would be moved to and

from the woodland, or how any items would be brought to or taken away from the site, without creating hazards for highway users on Old Lane or the footpath.

24. I am therefore unable to conclude that the temporary use of the site for storage purposes associated with forestry on adjacent land would contribute to the delivery of a safe transport system in accordance with Policy ID3 of the LP1.

Other considerations

25. It is claimed that the retention of the hard surface and the temporary use of the land for the storage of items associated with a forestry use on adjacent land are needed for such items to be stored securely and centrally. This, it is claimed, would maintain the viability of those forestry operations and allow the appellant to navigate complicated enforcement issues on other land.
26. Limited information has been provided to show that any forestry operations are viable, with or without the development. Indeed, as the appellant has not disputed the Council's claim that the forestry works could be completed in a matter of weeks or months with minimal equipment, it is unclear whether the forestry works are viable at all, let alone reliant on the development. Furthermore, I see no reasons why the appeal site may be any more secure or better suited to the storage of any forestry items than the other land referred to in the WMP. I also see no evidence that a refusal of the deemed application for planning permission in this case would likely prevent compliance with enforcement action taken elsewhere. The temporary nature of the planning permission sought does not comprise very special circumstances in support of the development.
27. The hard surface and the use of the land for the temporary storage of items associated with forestry works on adjacent land would comprise inappropriate development in the Green Belt. The material change of use would cause a low level of harm to the openness of the Green Belt. The development would also cause harm to the character and appearance of the area and it has not been shown that it would contribute to the delivery of a safe transport system. I assign substantial weight cumulatively to these harms and there are no other considerations which outweigh them. I do not therefore find very special circumstances to justify the development, which is contrary to Policy P2 of the LP1.

Conclusion

28. The hard surface and the use of the land for the temporary storage of items associated with forestry works on adjacent land would be contrary to the development plan as a whole and there are no material considerations which indicate planning permission should be granted. The appeal under ground (a) therefore fails and the deemed application for planning permission is refused.
29. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice with a correction and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the Act.

L Douglas

INSPECTOR