
Appeal Decision

Site visit made on 21 January 2026

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2026

Appeal Ref: APP/L3625/W/25/3375647

Land off Horse Hill, Horley RH6 0HN

(Easting: 525705 Northing: 143554)

- 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 Jackson against the decision of Reigate and Banstead Borough Council.
 - The application Ref is 25/00935/RET.
 - The development proposed is retrospective agricultural building.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the site address from the Council's decision notice and appellant's appeal form as they more accurately identify the site.
3. The building has already been erected on site and so the appeal has therefore been assessed on this basis.
4. The Council's agricultural advisors considered the proposal and concluded that the building was appropriate for agricultural purposes on the site. The Council did not therefore consider the proposal contrary to Green Belt policy. Interested parties have queried the advice received by the Council on both the use of the building and the site for agricultural purposes. However, there is no substantive evidence before me which would lead me to a conclusion that the site and building would not be used for agricultural purposes. I have therefore dealt with the appeal on that basis.

Main Issue

5. The main issue is the effect of the proposed development on the living conditions of neighbouring occupiers.

Reasons

6. Policy DES1 of the Reigate & Banstead Local Plan Development Management Plan 2019 (DMP) is a policy that establishes criteria against which the design of new development will be judged. An integral component in assessing the acceptability of a building's design is not only what it looks like but also its relationship with the surrounding area and any neighbouring buildings and uses.
7. In this respect points 3 and 5 of Policy DES1 require, amongst other things, that developments have due regard to the relationship with neighbouring buildings and

do not adversely affect neighbouring occupants by way of being overbearing and obtrusive. Policy DES1 is a general policy but there is nothing to indicate that it would not be applicable to agricultural buildings.

8. The appeal building is positioned towards the southern end of the appeal site, adjacent to the boundary with Wrays Farm. The building is enclosed on three sides, with the largest enclosed elevation facing towards Wrays Farm. The appeal building is some 4 metres in height nearest the boundary and is positioned on higher ground than Wrays Farm.
9. The nearest buildings on the Wrays Farm site to the appeal building have been converted to residential units. Three units (Nos.1 - 3) are set back from the appeal building by approximately 6.5m with the intervening space largely comprising the rear gardens of the new dwellings.
10. By virtue of its extensive width and height, a considerable amount of the upper part of the appeal building can clearly be seen beyond the common boundary with the neighbouring dwellings. Given the building's substantial size, scale and bulk together with its close proximity to the boundary, the building looms large over the neighbouring dwellings and their rear garden areas. Views from the rear windows of the dwellings, which provide the only aspect for the habitable rooms which they serve, or when occupants are stood in their rear gardens, would be dominated by the rear elevation of the appeal building.
11. In my judgement, the outbuilding is both overbearing and obtrusive, thereby diminishing the living conditions of these neighbours. Consequently, I find it to be contrary to Policy DES1 of the DMP which requires that, amongst other things, new development has regard to neighbouring buildings and does not adversely impact the amenity of occupants of nearby buildings by way of overbearing or obtrusiveness.

Other Matters

12. The building may have been erected prior to work starting on the adjacent conversion of the Wrays Farm site. However, it is apparent that planning permission for these conversion works was approved prior to the unauthorised erection of the agricultural building. Whilst the planning system allows for the submission of retrospective applications it does not give preference to unauthorised buildings over authorised ones.
13. The appellant suggests that the siting of the building is logical given the position of other buildings on the site. However, I have no substantive evidence before me that this represents the only position where a building such as this could have been sited and that there are no other locations or arrangements which would be suitable but less impactful on the neighbours' living conditions. Thus, even though there is no objection from the Council to an agricultural building per se to serve the existing operations, there is not a sufficiently strong reason to permit this building in this position.
14. I am mindful of the appellant's existing operations and that the Council approved the conversion of the adjacent Wrays Farm site in this knowledge. However, these factors do not necessarily mean that harm would arise to the living conditions of future neighbours. Thus, it does not provide a sufficient basis to allow the retention of a building, which although it may only be small by modern agricultural

standards, would nonetheless result in clear harms to the living conditions of neighbouring occupiers.

15. It is also suggested that hay and machinery would be stored on the site if there were no building. Whilst it has not been shown that this is the only position where such items could be stored, I cannot entirely rule this out as a possibility if, for example, the building were removed. Whilst this could potentially have some effect on neighbours, these items would not necessarily be permanent, nor are they likely to fill the entirety of the space currently taken by the building. Thus, they would not have the same effect on the neighbours as the existing unauthorised building. As such, this 'fallback' position does not overcome the objections to the proposal.
16. Interested parties have raised concerns regarding issues such as drainage and access. These did not form part of the Council's reasons for refusal but regardless of that or any findings I might reach in relation to them, they would not alter my decision or the outcome of this appeal.

Conclusion

17. The proposal would harm the living conditions of neighbouring occupiers and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Stewart Glassar

INSPECTOR