



Appeal Decisions

Inquiry held on 24 and 25 March 2026

Site visit made on 25 March 2026

by Andrew Walker MSc BSc(Hons) BA(Hons) BA PgDip MCIEH CEnvH JP

an Inspector appointed by the Secretary of State

Decision date: 10 April 2026

Appeal A: Ref APP/Q3630/C/25/3375607

Redlands Farm, Lyne Lane, Virginia Water GU25 4ES

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr W Dowling (WVC Vehicle Solutions Ltd) against an enforcement notice issued by Runnymede Borough Council on 13 October 2025.
 - The breach of planning control as alleged in the notice is:
Without planning permission, the erection of a building used for storage purposes and the construction of facilitating hardstanding shown as the area edged and cross hatched red on the Plan attached to this notice.
 - The requirements of the notice (in Section 5) are to:
 - 5.1 Demolish the building.
 - 5.2 Remove all hardstanding.
 - 5.3 Remove all demolished materials and hardstanding from the Land.
 - 5.4 Restore the Land to its condition before the breach occurred.
 - The period for compliance with the requirements is 6 months.
 - The appeal is proceeding on the grounds set out in section 174(2) (a) (b) (d) (f) (g) of the Town and Country Planning Act 1990 as amended (the Act). Since the appeal on ground (a) has been made, the application for planning permission deemed to have been made under section 177(5) of the Act as amended falls to be considered.
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Appeal B: Ref APP/Q3630/W/25/3375606

Redlands Farm, Lyne Lane, Chertsey, Surrey GU25 4ES

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by WVC Vehicle Solutions Ltd against the decision of Runnymede Borough Council.
 - The application Ref RU.24/1697, dated 10 December 2024, was refused by notice dated 11 June 2025.
 - The development is agricultural storage building.
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Decisions

1. Appeal A is allowed and the enforcement notice is quashed.
2. Appeal B is allowed and planning permission is granted for an agricultural storage building at Redlands Farm, Lyne Lane, Chertsey, Surrey GU25 4ES in accordance with the terms of the application, Ref RU.24/1697, dated 10 December 2024, and the plans submitted with it (Location Plan; Grid-Line Plan (Base Layout); General Arrangement of the Building) subject to the following condition:
 - 1) The use of the building hereby approved shall be for agricultural purposes only.

Costs Applications

3. Applications for costs as regards both appeals were made by WVC Vehicle Solutions Ltd against Runnymede Borough Council. These applications are the subjects of separate Decisions.

Procedural Matters

4. Both appeals relate to the same building at Redlands Farm, with adjacent hardstanding also being targeted by the enforcement notice in Appeal A.
5. While the Council refused the application (Appeal B) citing conflict with the development plan, it has now agreed with the appellant that the sole policies referenced - Policies EE1 and EE14 of the Runnymede 2030 Local Plan - are not strictly relevant.
6. Instead, in its opposition to the appeal developments (Appeals A and B), the Council relies upon the 'Protecting Green Belt Land' chapter of the National Planning Policy Framework (the Framework).
7. Notably, only conflict with paragraph 154 of the Framework is cited in the reasons for issuing the enforcement notice in Appeal A.
8. All witnesses at the Inquiry gave evidence upon giving a solemn affirmation to tell the truth, and were cross-examined in test of that evidence. Such evidence is normally afforded relatively greater weight than evidence not tested by questioning, not least because the Perjury Act 1911 imposes penalties in respect of false statements made under affirmation.
9. The Council's agricultural consultant (Reading Agricultural Consultants, 'RAC') did not attend the Inquiry, did not give live evidence and was not questioned. Instead, their evidence took the form of a letter dated 15 April 2025 – there was no opportunity to question its author and I give it less weight than the live tested evidence given under affirmation that I heard at the Inquiry.
10. For reasons that will become clear, I will address Appeal B before Appeal A.

Appeal B

Main Issue

11. The main issue in the appeal is whether or not the building constitutes inappropriate development in the Green Belt.

Reasons

12. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
13. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
14. Development in the Green Belt is inappropriate unless a Framework exception applies. One of the exceptions, under paragraph 154 a) of the Framework, is a building for agriculture.

15. The appellant sought planning permission for an agricultural storage building. That is clear and explicit in the application. The Council validated that application and did not seek to amend the description. It then refused the development, still described in the Decision Notice as an agricultural storage building, for reasons connected to alleged harm to the Green Belt.
16. In determining this appeal, I am dealing with it on the basis on what was actually and specifically sought. Accordingly, it being an building for agriculture that is sought, it is not inappropriate development in the Green Belt and there is no conflict with either the development plan or the Framework.
17. The Council's position is that it had suspicions that the building erected under the retrospective application was not in fact for agriculture and so it issued its decision on that basis. Even were it right that the Council could essentially determine an application on the basis of a development it suspected had occurred rather than the development specifically proposed in the application (the description of which it did not seek to amend), I do not in any case agree on the balance of probability that the building is not for agriculture.
18. I found Mr Dowling's evidence, given under affirmation and cross-examination, to be credible and consistent. In these circumstances I give significant weight to his account that the barn has been erected for agricultural use and no other (indeed, I have not been presented with any evidence demonstrating that any alternative use has been witnessed). I accept and believe that he has entered into a relationship with a neighbouring farmer for livestock to be grazed on the lawful agricultural land within the wider Redlands Farm site (a number of cattle being seen in the paddocks on my site visit, having also been seen by the RAC consultant) and that the barn is used (as appeared to be the case on my site visit) for the storage of hay for feeding the livestock¹ and for storing of plant, equipment, machinery and materials associated with the agricultural use. Further, Mr Dowling's live evidence to the above effect is not at odds with his response to the Council's Planning Contravention Notice in which he stated that the barn was used for the storage of plant, machinery, equipment and tools for use on the land. The various tractors and other plant and equipment (noted by the RAC consultant and observed on my site visit) would certainly seem to be of a type which one might reasonably expect to see in connection with an agricultural use of land². Overall, for these reasons, I find the appellant's evidence to be sufficiently precise and unambiguous in demonstrating his case. There is no need for independent corroboration.
19. The RAC consultant also found that "*the building has been constructed for the storage of agricultural machinery and equipment...*". Notwithstanding this, the Council focuses upon the consultant's conclusions that the building is too large for any agricultural activities being carried out and that no justification has been made for its size or requirement³. However, there are no limitations in paragraph 154 a) of the Framework concerned with size or necessity – just that a building is used for agriculture. For the reasons I have given, I find on the balance of probability that it is.

¹ Ms Clarke having also observed the storage of hay inside the barn, if not the livestock, and I accept Mr Dowling's evidence that the cattle may have been out of view by the river during her few visits.

² Even were the fields beyond the paddocks at Redlands Farm not utilised for hay production as suggested by Mr Dowling (or only to a limited extent), agricultural land used for the grazing of livestock still requires work and maintenance for which plant, equipment and machinery is relevant. Imported hay also needs to be stored.

³ Notwithstanding that it was a planning application made, and not an application for prior approval under Schedule 2, Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

20. To the Council's point, I do not find inconsistency in Mr Dowling's desire to farm the land and to erect a barn for that purpose in 2021 notwithstanding a planning history involving various applications for conversion and change of use of redundant agricultural buildings. Those applications were made before Mr Dowling's company acquired the land in 2017. Further, the fact that such buildings have been converted and are used for non-agricultural purposes (and are no longer suitable or available for farming activities) strengthens the credibility of the appellant's case that the appeal building has been built for the purposes of the agricultural activity he has described.
21. Further, my findings are not affected by the Council's account of discussions with the appellant in which it is alleged that his motive is to obtain permission for the appeal building in order to 'swap volume' and 'make way' for permission for an unauthorised house which has been reportedly built upon the wider Redlands Farm site. I must consider the appeal proposal on its merits, and this matter does not dissuade me that the barn is an agricultural storage building which benefits from paragraph 154 a) of the Framework.
22. Accordingly, the building is not inappropriate development in the Green Belt. There is no need for openness or encroachment to be addressed further, or for the appellant to make out a case for very special circumstances.

Conclusion

23. For the reasons given above, the appeal is allowed and I shall grant planning permission with the single condition that the building shall be for agricultural purposes only. This condition is necessary and reasonable to ensure that the development continues to be appropriate within its Green Belt context. Clearly, should the Council have reason in the future to suspect that this condition is being breached (and I have no basis for suggesting that it would be) then it could consider enforcement action.
24. I am not imposing the condition suggested by the Council which would restrict the future exercise of permitted development rights for change of use under Classes Q and R of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the Order). Paragraph 55 of the Framework requires that planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so. The Council says that the condition should be imposed to ensure the protection of spatial amenities of the Green Belt, as well as character and appearance. However, the visual aspects of the development are:

"...confined to a degree by the location of the building being shielded from public views due to its set back from the road and railway line and the mature trees which surround it and discreetly located such that it is not prominent within wider landscape views⁴".

I do not accordingly think that there is a clear justification to restrict, in these particular circumstances, changes of use permitted under national legislation. Further, the Order does not restrict the exercise of permitted development rights in the Green Belt as a matter of national policy and I can see no clear justification to do so in this case.

⁴ Officer Report on RU.24/1697

Appeal A Ground (b)

25. For success on this ground, I must be satisfied on the balance of probabilities that matters stated in the notice said to constitute a breach of planning control have not in fact occurred.
26. The allegation in section 3 states that a building used for storage purposes has been erected - and - the notice goes on to explain (section 4.2) that it is contrary to paragraph 154 of the Framework. It cannot therefore be alleging that a building for agriculture has been erected, since that would not be contrary to that paragraph. The only logical and reasonable interpretation must be that the matter stated in the notice said to constitute a breach of planning control is that a building has been erected that is not for agricultural storage.
27. I have found in my reasoning on Appeal B that, as a matter of fact and degree, the building is for agricultural storage.
28. Accordingly, ground (b) succeeds since I am accordingly satisfied on the balance of probabilities that the breach of planning control targeted by the notice – a building used for non-agricultural storage – has not factually occurred. By extension, I also find that there is no hardstanding facilitating use of such a building.
29. I have discretion to correct any defect, error or misdescription in a notice if I am satisfied that the correction will not cause injustice to a main party.
30. No applications/invitations for amendment were made by the main parties when the potential use of the discretionary power under section 176 of the Act was put to them at the Inquiry.
31. Notably, it was clear from what the Council said at the Inquiry that correcting the notice so as to allege the erection of an agricultural storage building would cause the Council injustice since its enforcement action is based on their stated position that the building is not being used for that purpose (as indeed the reasons for issuing the notice in section 4 relate).
32. Accordingly, I will not correct the enforcement notice but will quash it.
33. In these circumstances, the deemed planning application and the grounds of appeal under grounds (a), (d), (f), and (g) do not fall to be considered.

Andrew Walker

INSPECTOR

APPEARANCES

FOR THE APPELLANT: Michael Rudd (instructed by E.P.D.C.S Ltd)

He called

William Dowling
(Director, WVC Vehicle
Solutions Ltd)

Ben Eiser (Agent,
Director of E.P.D.C.S
Ltd)

FOR THE LOCAL PLANNING AUTHORITY (LPA): Kate Olley (instructed by the LPA)

She called

Marie Clarke (Principal
Planning Officer)

Tom Coleman Fry
(Assistant Development
Manager (Enforcement
& Trees))

INTERESTED PERSONS: None

DOCUMENTS accepted after the opening of the Inquiry

- 1 Suggested conditions emailed to Case Officer