



Appeal Decision

Site visit made on 14 April 2026

by T Bennett BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st May 2026

Appeal Ref: APP/D3640/W/25/3376162

Land at Langshot Equestrian Centre, Gracious Pond Road, Chobham, Woking GU24 8HJ

- 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 L Chivers against the decision of Surrey Heath Borough Council.
 - The application Ref is 25/0631/FFU.
 - The development proposed is use of existing hard surfacing for car storage together with outdoor storage of equipment associated with existing film production use (temporary use for 2 years).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies and its effect on openness;
 - the effect of the proposal on the character and appearance of the area;
 - the effect of the proposal on highway and pedestrian safety;
 - the effect of the proposal on ecology, and
 - if it is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.

Reasons

Whether inappropriate development and effect on openness

3. The appeal site is within the Green Belt. The extent of which is defined in Policy CP1 of the Surrey Heath Borough Council Core Strategy and Development Management Policies 2011-2028 (2012) (the CS). The policy indicates that the current extent of the Green Belt will be maintained.
4. Paragraph 154 of the Framework outlines that development in the Green Belt is inappropriate unless it falls within specified exceptions. The appellant indicates the proposal should be assessed against the exception set out at Paragraph 154 h) v),

- which allows for material changes in the use of land provided that it preserves its openness and does not conflict with the purposes of including land within it.
5. The appeal site comprises a large barn previously used for equestrian purposes and areas of hard surfacing to the front and side. The barn currently has temporary permission for the storage of film equipment which expires in late October 2026.
 6. The proposal seeks to use part of the existing lawful hardstanding to the southeast of the barn to store up to 30 cars, and a larger area of hardstanding to the east for storing film equipment.
 7. The Framework establishes that 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. Openness has both spatial and visual aspects.
 8. The appellant states that the cars are being stored in connection to a car sales business. However, very limited information has been submitted in terms of how this business operates. It is reasonable to assume that vehicles move on and off the site, although the frequency is not clear. The film equipment is also stated to be moved intermittently. While I accept that the outdoor storage would not constitute fixed or permanent structures, this does not preclude it from harming openness.
 9. Limited information has been provided regarding the specific size of the film equipment. Given the nature of film sets and props, and in the absence of any information to the contrary, it would be reasonable to assume these would be items of varying bulk and size which could be stored across the entire area of existing hardstanding proposed for the storage of film equipment. Although the appellant has suggested a condition could be used limiting the height of the equipment, the transitory nature and varying size of the equipment would make such a condition difficult to monitor and would fail the conditions tests for enforceability.
 10. Whilst the existing barn and nearby structures may have already reduced the openness of the Green Belt in this rural location, this is not justification for reducing it further. The outdoor storage area for the film equipment is larger than the barn's footprint. Using this hardstanding for equipment storage would further erode the openness of the Green Belt, having a greater adverse effect on the visual and spatial openness of the Green Belt than the hardstanding alone. Although the degree of harm would fluctuate depending on the volume of equipment, if used at full capacity it would have a significant adverse impact.
 11. The car storage occupies a smaller area of hardstanding than the film equipment. While I understand that this area was historically used for vehicle parking associated with the former equestrian use, I have limited information on the number of vehicles that previously parked in this area. Moreover, the storage of up to 30 vehicles for potentially long periods of time is distinctly different in character to more transient visitor and/or staff parking. Based on the evidence, the use would be more intrusive than the historic use and would adversely affect the openness of the Green Belt spatially. However, this would be to a much lesser degree than the external storage area for film equipment due to its more limited coverage. Visually, the impact on the openness of the Green Belt would be minimal due to the height of the cars and existing boundary fencing. Notwithstanding this, the proposal as a whole would fail to preserve the openness of the Green Belt.

12. One of the purposes of the Green Belt is to assist in safeguarding the countryside from encroachment. Although the hardstanding itself would not extend further into the Green Belt, the proposal represents a significant intensification in the use of the areas of hardstanding. This would constitute a form of visual and spatial encroachment within the countryside.
13. For the above reasons, the proposal would not accord with the exception set out at Paragraph 154 h) v) of the Framework.
14. The appellant has also suggested that the proposal accords with Paragraph 155 of the Framework. This sets out that homes, commercial and other development in the Green Belt should not be considered inappropriate where a number of other exceptions (a – d) apply. As the development is not major development, test d) is not applicable. All the other tests however must be met.
15. Criterion a) is that the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Grey belt is defined at Annex 2 of the Framework as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes a), b), or d) in paragraph 143. Both parties agree that the site meets the definition of Grey Belt land, and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Given the scale of the site relative to the Green Belt across the area of the plan, I see no reason to disagree.
16. Paragraph 155 b) requires there to be a demonstrable unmet need for the type of development proposed. The appellant argues that the indoor storage is now at capacity and there is now an unmet need. However, I do not consider this sufficiently demonstrates a demonstrable unmet need. Limited evidence has been submitted to indicate that there are no other suitable storage facilities for film equipment in the locality. For example, figures relating to the occupancy of B8 storage facilities in the area or that outdoor storage is the only way in which the need can be met.
17. Very limited information has also been submitted about the nature, scale or operation requirements of the car sales business to indicate that there is a demonstrable unmet need for the outdoor car storage, or that there are no other suitable locations in the area.
18. Considering all the above, I find that it has not been sufficiently demonstrated that there is a demonstrable unmet need for the storage and therefore the proposal fails to satisfy criterion b). As the proposal has not met this particular criterion and as all criteria need to be met, there is no need for me to consider any of the further tests set out at paragraph 155.
19. Given the proposal has failed to accord with the provisions of paragraphs 154 h) v) and 155 of the Framework, the proposal would be inappropriate development in the Green Belt, which by definition, is harmful to the Green Belt and should not be approved except in very special circumstances. The proposal would therefore conflict with the Framework.

Character and appearance

20. The appeal site is in a rural location set back from Gracious Pond Road. In addition to the barn used for equipment storage, there are several other buildings nearby, primarily in agricultural and equestrian use. Woodland lies to the north and east, which contributes to a strong rural character, with open countryside beyond.
21. The appeal site is visible from Public Footpath 97, which goes through the woodland to the east of the site. From this vantage point, views are predominantly of the woodland behind the proposed storage area for film equipment and the existing buildings which are well contained. There is limited visibility of the existing hardstanding due to the boundary treatment.
22. Regarding the car storage area, its limited size means it would barely be perceptible from public vantage points. Considering this, and that the vehicles would be viewed against a backdrop of existing buildings, this use would not adversely affect the area's rural character.
23. However, from Public Footpath 97, the external storage of film equipment would be primarily viewed against the backdrop of the adjacent woodland. Given the extensive area of hardstanding, storing equipment which could exceed the height of the boundary fence would introduce urban clutter across a large area. This would have a harmful urbanising effect on the rural character when viewed from Public Footpath 97. This would be even more pronounced during periods of leaf fall.
24. Accordingly, I find that the development would harm the character and appearance of the area. As such, it would be contrary to Policy DM9 of the CS, which seeks development that respects and enhances the character of the rural setting.

Highway and pedestrian safety

25. The appeal site is accessed from Gracious Pond Road, a narrow lane without pavements or street lighting. From there, access continues via an unmetalled track extending approximately 115 metres, which forms part of Public Footpath 54 and Chobham Common, a Site of Special Scientific Interest (SSSI).
26. The track has good visibility in both directions. In a previous appeal¹ relating to the change of use of the equestrian building to storage, the Inspector determined that vehicles would be driving at slow speeds due to the track's unmetalled nature and its proximity to the main junction with Gracious Pond Road. The Inspector considered that this would enable pedestrians on the track to see any vehicles and step into the woodland verge. The Inspector concluded that the scale of operation and level of activity would not likely harm the safety of pedestrians. However, that assessment was based, in part, upon low forecasted traffic generation associated with the then intended use derived from a 2023 transport technical note (TTN).
27. The TTN set out that traffic for the change of use of the building to film equipment storage was forecast to be a maximum two HGV deliveries per month and up to eight car/van trips per week, with days where no trips would occur. However, this proposal is materially different to the previous appeal scheme and represents an intensification in the use of the site. I therefore give that appeal decision limited weight.

¹ Ref: APP/D3640/W/24/3341164

28. I am, however, mindful that the TTN refers to a previous withdrawn proposal where the Highways Authority did not object. That proposal was for the storage of classic cars and internal and external timber storage. The TTN states that the trip generation forecast for that scheme would have been two HGV deliveries per month, four daily flatbed van trips and a visit to the car storage once every 2-3 months.
29. The appellant contends that the trip generation for the current proposal would not be materially different to the figures put forward in the previous withdrawn scheme mentioned in the TTN. However, because limited information has been submitted in terms of how the film and car storage would operate, I have limited substantive evidence to demonstrate why this proposal would be the same as the previous withdrawn scheme.
30. While the Highways Authority has raised no objection to the proposal, due in part to the low level of trips estimated to be generated, I consider that limited substantive evidence has been submitted to indicate that the actual vehicle movements would reflect those suggested. Transport data, including type and frequency of vehicle movements from the existing storage use, could have been provided, alongside further details on how the car storage business would operate.
31. Overall, I consider that insufficient detail has been given regarding the proposed vehicle movements in association with the external car and film equipment storage. Interested parties have also raised concerns that the current type and frequency of vehicular movements have exceeded those that were originally forecast. Given that this proposal would significantly expand the storage area above the existing situation, this adds to my concerns.
32. While I note that the TTN identifies that no accidents were recorded in the vicinity of the site between 2017-2021, the absence of sufficient information regarding the frequency and type of vehicle movements, for both the car and film equipment storage, means I cannot be satisfied that the proposal would not have an adverse effect on pedestrian and highway safety. The proposal therefore conflicts with Policy DM11 of the CS. This seeks to ensure that development does not result in an adverse effect on highway safety.

Ecology

33. The appeal site is located immediately adjacent to lowland mixed deciduous woodland and wood pasture which are Habitats of Principal Importance (HPI). The Wildlife Trust has sought further details to be submitted as to how these areas are to be protected. However, the proposed storage areas are confined to the existing hardstanding. As there is no expansion of this hardstanding, the proposal would not have an adverse effect on the HPIs and therefore no mitigation measures would be required.
34. Access to the site is via the SSSI. Given my concerns regarding the frequency and type of vehicle movements into and out of the site, as discussed in the previous main issue, I cannot be satisfied that the proposal would not have an adverse effect on the SSSI. Consequently, the proposal would conflict with Policy CP14 of the CS. It would also conflict with the Framework which states that development likely to have an adverse effect on a SSSI should not normally be permitted.

Other considerations

35. The Council have not identified any harm to the living conditions of neighbouring occupiers. However, an absence of harm weighs neither for nor against the proposal.
36. The temporary nature of the development is noted; however, given the harms identified, I attach limited weight to this.
37. I am mindful of the guidance set out in Chapter 6 of the Framework which supports the sustainable growth and expansion of businesses in rural areas. However, the overall scale of the economic benefits here are not fully explained, and I therefore give this moderate weight.

Other Matters

38. The site is within the zone of influence of the Thames Basin Heaths Special Protection Area. Had I been minded to allow the appeal, as the competent authority, it would have been necessary for me to consider the effect of the scheme on the protected Habitat Site. However, as I am dismissing the appeal for other reasons, I do not need to consider this matter further.
39. The appellant has put forward that a split decision could be issued. However, given my reasonings within the main issues I consider that this would not be possible.

Planning Balance and Conclusion

40. The proposal would constitute inappropriate development in the Green Belt and would harm openness. The Framework requires that the harm by reason of inappropriateness, including harm to its openness be given substantial weight and that inappropriate development should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations.
41. The other considerations in this case are not sufficient to outweigh the substantial weight that I am directed to give to the Green Belt harm. Thus, the very special circumstances necessary to justify the proposal do not exist.
42. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal is therefore dismissed.

T Bennett

INSPECTOR