



Appeal Decision

Site visit made on 18 May 2026

by **R Curnow MA(TCP), BSC(Hons), CMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 May 2026

Appeal Ref: APP/B3600/C/24/3357901

Land at Dorking West Station Yard, Ranmore Road, Dorking, Surrey, RH4 1HW

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Surrey Recycling Services against an enforcement notice issued by Surrey County Council.
 - The notice was issued on 29 November 2024.
 - The breach of planning control as alleged in the notice is Without planning permission, a material change in use of the land to a waste transfer station involving the importation, deposit, storage, sorting and transfer of waste materials, the storage and operation of plant and machinery, the parking of vehicles and the siting and storage of skips, waste bins and containers, all associated with the unauthorised waste use; and The siting of paraphernalia and equipment associated with the unauthorised waste use and the carrying out of operational development to facilitate the unauthorised waste use.
 - The requirements of the notice are to: i. Cease using the Land (as outlined red on the attached Plan), for the importation, deposit, storage, sorting and transfer of waste materials (the unauthorised waste use); ii. Cease the use of the land for the following activities associated to the unauthorised waste use - The storage and operation of plant and machinery, the parking of vehicles and the siting and storage of skips, waste bins and containers; iii. Remove from the Land (as outlined red on the attached Plan), all plant and machinery connected to, used as part of or otherwise associated to the unauthorised waste use; iv. Remove from the Land (as outlined red on the attached Plan), all imported, waste materials (including all waste materials contained within any skips / waste bins or containers and materials sited upon the floor); v. Dismantle the waste reception building (outlined blue and labelled 'A') and remove all resulting materials from the Land (as outlined red on the attached Plan); vi. Remove from the Land (as outlined red on the attached Plan) the concrete blocks and dividing walls forming the waste storage bays (outlined blue and labelled 'D'); vii. Remove from the Land (as outlined red on the attached Plan), all skips / waste bins, containers, paraphernalia, equipment and all vehicles associated with the unauthorised waste use; viii. Uninstall and remove from the Land (as outlined red on the attached Plan), the vehicular weighbridge including the removal of all underlying laid concrete (outlined blue and labelled 'E'); and ix. Remove from the Land (as outlined red on the attached Plan), the two storey modular building (outlined blue and labelled 'B'), fencing and entrance gates (as shown denoted by the blue line labelled 'C').
 - The periods for compliance with the requirements are: i. - One day; ii. and iii. - 42 days; iv. - 56 days; v. - 84 days; vi. to ix. 98 days.
 - The appeal is proceeding on the ground set out in section 174(2)(g) of the Town and Country Planning Act 1990 (as amended).
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Decision

1. The appeal is dismissed, and the enforcement notice is upheld.

Applications for costs

Procedural Matter

2. No-one was present to represent the Appellant at the site visit, so I could not access the appeal site. However, the owner of both that land and land adjoining it was present and he allowed access to the latter land. This is immediately adjacent

to the appeal site. I undertook an Access Required Site Visit ('ARSV'), where the representative of the Council and landowner waited at the gate to the land adjacent to the appeal site, from where they could see me. There was no discussion on the merits of the case. I assessed the development from the adjacent land and the road that bounds the site, to its north. I could see the site sufficiently from these vantage points.

3. After my visit, I emailed the parties, asking whether there were any objections to the ARSV. The Council, which verbally agreed to this at my site visit, did not comment, though it did comment on a Ground (g) question I posed in the same email. The Appellant did not reply. Given the appeal is proceeding on Ground (g) alone, using the evidence of my site visit and the written submissions, I have sufficient information to determine the appeal.
4. In the same email I asked the Council to clarify the point it made in respect of the Appellant's Ground (g) request for 6 months to comply with the Notice. It replied on the same day and copied the Appellant in on its response. Comments received from the parties are taken into account in my findings, below.

Ground (g)

5. An appeal under Ground (g) is that the periods specified in the Notice for compliance with its requirements fall short of what should reasonably be allowed.
6. The Notice specified various periods for compliance with its measures i-ix. The Appellant states that the compliance period for requirement i should be extended to 6 months, and that the period for compliance with requirements ii-ix should follow accordingly.
7. The Council's comments, in its statement of case, on the Appellant's Ground (g) appeal were unclear. It took up two apparently opposing positions. It firstly stated that the periods for compliance set out in the Notice are sufficient, but then, in paragraph 7.3.6, said that "The specified 6-month period is not considered to be excessive and is appropriate...". Given the contradiction, it was asked to clarify its position.
8. It informed the Planning Inspectorate that paragraph 7.3.6 was written in error, and was attempting to summarise the acceptability of multiple compliance periods. It confirmed its position of seeking the cessation of the unauthorised waste use, which results in some of the most harmful aspects of the use of the land, within 1 day. Following on from this, it stated that the sequential approach to ceasing all of the unauthorised activity on site is as set out in the Notice. This, it said in its email, is not onerous.
9. I asked the Appellant for his view on the Council's comments but did not receive a response.
10. The Appellant's request to extend the period for compliance with requirement i is based on his fear that there might be difficulties in finding an alternative site. Whilst I can understand this, it is markedly outweighed in my deliberations by the harm that has shown to have occurred, including in the recent section 78 appeal¹ decision for the use of the land, and will continue to occur until the use is ceased.

¹ PINS Reference - APP/B3600/W/24/3356335

11. The Appellant's suggestion is that the time for compliance with requirements ii-ix should "follow accordingly" from his request that the time for compliance with requirement i is extended. No further reasoning is given for this.
12. For its part, the Council has explained the rationale behind the varying periods for compliance of the other requirements. What it refers to as a "phased remedy" would allow for the managed cessation of the use in a manner that it says is not excessive or inappropriate. Having assessed the period for compliance, and in the absence of any substantive case for the extension of the periods for compliance for requirements ii-ix, I find those periods to be reasonable.
13. For the above reasons, I find that the periods for compliance in the Notice do not fall short of what would be reasonably required. Therefore, the Ground (g) case fails.

Conclusion

14. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice.

R Curnow

INSPECTOR