



Appeal Decision

Site visit made on 5 March 2024

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 11 March 2024

Appeal Ref: APP/P0240/W/23/3329776

Long Yard, Dunstable Road, Studham, Central Bedfordshire LU6 2QL

- 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 John Thorne against the decision of Central Bedfordshire Council.
 - The application Ref is CB/22/04780/FULL.
 - The development proposed is the retention of existing mobile home for occasional family use.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government published a revised version of the National Planning Policy Framework (the Framework) on 19 December 2023. Whilst this made certain revisions to aspects of national planning policy, the provisions in respect of the main issues of this case are largely unchanged. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework from the parties, and that no party would be disadvantaged by such a course of action.
3. The effect of the proposed development on the Ashridge Commons and Woods Site of Special Scientific Interest (SSSI) within the Chilterns Beechwoods Special Area of Conservation (SAC) was cited by the Council as a reason for refusal. The appellant has not provided any further information, including a signed planning obligation. I will return to this matter later in my decision.
4. The mobile home is already stationed on site, for the avoidance of doubt the appeal has been determined based on the appeal drawings.

Main Issues

5. I note that there has been a mobile home within the appeal site for some time and that there is an extensive planning history. However, my decision is based on the scheme before me. As such, the main issues are:
 - whether the proposal would be inappropriate development in the Green Belt, including its effect on the openness of the Green Belt and the purposes of including land within it, having regard to local and national policy;
 - the effect of the proposal on the character and appearance of the area, with particular regard to the Chilterns Area of Outstanding Natural Beauty (AONB); 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 proposal.

Reasons

6. The site falls within land defined as Green Belt. The area surrounding the appeal site is rural with a small number of large, detached properties set within substantial verdant plots, arranged in a linear pattern of development surrounded by fields and woodlands. The appeal site comprises a large, detached dwelling with a mobile home and associated decking positioned to the northwest of the main property. There are numerous mature trees as well as a variety of boundary fences throughout the site.

Whether inappropriate development

7. 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 further establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in paragraphs 154 and 155. These include material changes in the use of land provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Policy SP4 of the Central Bedfordshire Local Plan 2015 – 2035 (July 2021) (CBLP) accords with the Framework in this regard.
8. The Council considers that the stationing of the mobile home is a material change in the use of the land, and I have no reason to disagree. Although the mobile home is minimally visible from public viewpoints, openness is an essential characteristic of the Green Belt that has spatial as well as visual aspects and can be experienced on a large scale within the wider landscape as well as on a small scale within a residential garden. The openness of the Green Belt is clearly evident around the appeal site and the wider area.
9. Although the mobile home and associated decking are not fixed to the ground, they have increased the amount of built form within the site and have inherently reduced the openness. Despite the limited scale of development, it encroaches into the countryside. Consequently, it would not meet the exception set out in paragraph 155 e) of the Framework.
10. Considering the above, I conclude that the mobile home is inappropriate development in the Green Belt. It conflicts with Policy SP4 of the CBLP and the associated policies of the Framework which collectively seek to control development within the Green Belt.

Character and appearance

11. The appeal site lies within the Chilterns AONB. The site is surrounded by gently sloping open land, predominantly in agricultural use with large areas of woodland. Aside from the large linear dwelling, there are numerous outbuildings and garden structures throughout the site.
12. The mobile home contributes to the proliferation of built form within the site. However, despite its elevated position in relation to the highway, it is largely obscured within the surrounding landscape by mature trees and hedges as well

as fences. As such, it has a negligible effect on the wider landscape character of the area, including the AONB.

13. Therefore, I conclude that the development has not harmed the character and appearance of the area, with particular regard to the Chilterns AONB. It accords with Policy HQ1 of the CBLP where it requires development to be complementary to the existing natural environment, taking account of the landscape setting, character, and tranquillity.

Other considerations

14. I acknowledge that the appellant would like to retain the mobile home for accommodating visiting relatives for short periods throughout the year and not for renting out. However, these personal circumstances carry little weight.
15. The Council suggests that development would likely generate additional recreational impact on the Ashridge Commons and Woods SSI within the Chilterns Beechwoods SAC and is therefore subject to provide a financial contribution towards the management of the Ashridge Estate and to provide alternative natural green space as described in the Chilterns Beechwoods SAC Mitigation Strategy. As the mobile home is a self-contained unit, providing independent sleeping accommodation, I am satisfied that this is the case and that despite the limited annual occupancy, it generates additional recreational impact.
16. However, as I have already identified harm in respect of the main issues, it is not necessary for me to undertake an appropriate assessment, as even if no harm was identified or any harm successfully mitigated, these would be neutral considerations at best and therefore would not alter the outcome of the appeal. Therefore, in these circumstances, it is not necessary to consider these matters further for the purposes of my decision.

Conclusion

17. The development is inappropriate development in the Green Belt, which is by definition, harmful. Whilst I have concluded that it has not harmed the character and appearance of the area, it has resulted in a limited loss of openness and encroachment into the Green Belt. Substantial weight should be given to the harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt is clearly outweighed by other considerations.
18. Given the substantial weight to be given to Green Belt harm, the harm to the Green Belt is not clearly outweighed by the other considerations and, therefore, the very special circumstances required to justify a grant of planning permission have not been demonstrated. Consequently, the appeal is dismissed.

K Allen

INSPECTOR