



Appeal Decision

Site visit made on 20 May 2025

by **JP Sargent BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1st July 2025

Appeal Ref: APP/P0240/W/24/3353798

Charity Farm, Charity Farm Lane, Eggington, Bedfordshire LU7 9PB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended)(the Act) against a refusal to grant planning permission.
 - The appeal is made by R H and L M Sear against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/00243/FULL.
 - The development proposed is the change of use of agricultural land for use as a touring caravan site for up to 16 touring caravans staying for up to 28 days at any one visit, together with the provision of electric hook-ups and the provision of an amenity/welfare block.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Although I have had regard to the longer one found on the application form, the description I have used above adequately describes the development before me.

Main Issues

3. The main issues in this case are
 - a) whether this is inappropriate development in the Green Belt and whether it harms the character and appearance of this rural landscape;
 - b) whether it is a sustainable location;
 - c) if it would be inappropriate development in the Green Belt, whether the harm from inappropriateness, and any other harm from what is before me, is clearly outweighed by other considerations so as to amount to very special circumstances and
 - d) whether, when taken with other plans and projects, it would have likely significant effects on the integrity of the Chilterns Beechwoods Special Area of Conservation (the SAC).

Reasons

Inappropriateness, and character and appearance

4. The appeal site is in the Green Belt, where Policy SP4 in the *Central Bedfordshire Local Plan* says development will be assessed in accordance with Government guidance. In this regard the *National Planning Policy Framework* (the Framework) says inappropriate development is, by definition, harmful to the Green Belt. It goes on to state that development in the Green Belt is inappropriate, though then

provides a number of exceptions to this, including, in paragraph 154(h)(v), development comprising

'material changes in the use of land (such as a change of use for outdoor sport or recreation or for cemeteries and burial grounds)'.

To my mind to use land as a touring caravan site falls within the flavour or extent of the uses listed in this exception, by being reasonably classified as outdoor recreation. However, the Framework makes clear that the uses are not inappropriate under paragraph 154(h)(v) only if they preserve the Green Belt's openness and do not conflict with the purposes of including land within it.

5. The appeal site, forming part of Charity Farm, comprises a grassed area, and is located on top of a ridge. Land falls away to the west, north and south, while, immediately to the east is a cluster of old farm buildings. In the *Central Bedfordshire Landscape Character Assessment*, Charity Farm is referenced as a highly visible hill in the landscape, and I agree. Its prominence and its rural nature mean it contributes positively to the open pleasing countryside around.
6. The use before me is now taking place. There were 6 touring caravans on site at the time of my visit (with capacity for more) and the electric hook-ups and welfare provisions were present. Looking from the east, views of the development are restricted by the existing buildings, while from the north the site's boundary hedge, which runs along the ridge crest, impedes views. However, looking from Leighton Road to the south, from the various footpaths around the balancing pond to the south-west, and, to a lesser extent, from Fraserfields Way to the west, the caravans now on site are clearly visible on the ridge top. Their angular forms, their bright colouring, the manner in which they are spread across the site, and the inevitable associated vehicles all mean the development constitutes an appreciable encroachment into the countryside in this exposed location, and so erodes what would otherwise be the open nature of the landscape. As such, I find the scheme does not preserve the openness of the Green Belt or the purposes of including land within it.
7. Moreover, the presence of this spread of caravans and associated traffic in so prominent a location on this highly visible hill means the scheme also detracts unacceptably from the character and appearance of the area. This is because it has resulted in an appreciable change in the nature of the field subject of the application, notably diminishing the contribution it makes to the rural landscape in which it sits.
8. In coming to these views I accept that there is little opportunity for touring sites in settlements. Indeed, I recognise that those using such sites for holiday purposes often want to be away from towns and built-up areas. As such, across the country touring sites are often in a rural setting, and I acknowledge that they can be found in more sensitive landscapes than the one before me. Moreover, in Central Bedfordshire qualified support for tourism and leisure uses outside Settlement Envelopes is found in Local Plan Policy SP7. However, when in a rural location such a use could often be on a site that was less noticeable and more visually contained. As a result, touring caravan sites elsewhere do not offer a basis for the continued presence of caravans in this prominent position.

9. Policy SP4, and its approach to Green Belt development, is not listed in Policy SP7 as one of those with which tourism uses outside Settlement Envelopes must conform. However, Policy SP7 does require conformity with Local Plan Policy EMP4. Whilst promoting the visitor economy, Policy EMP4 requires development to have no adverse effect on the location and, if in the Green Belt, show consistency with other local and national policies. I am aware too that Policy SP4 says development proposals within the Green Belt will be assessed in accordance with government guidance. Consequently, I see no reason why the support for tourism outside settlements that is found in Policy SP7 should offer justification to change my findings that the scheme is inappropriate development in the Green Belt.
10. It is appreciated that conditions could restrict occupancy periods. However, even if individual caravans were to be taken away after 28 days or less, replacements could come onto the site. As a result, for much of the time at least, caravans could be expected to maintain a visual presence on the land. Limiting the length of stay does not therefore allay my concerns. It is conceivable that, at times, there would be no caravans present. I have no reason though to consider those would be for any prolonged periods, and in any event such occurrences would not overcome the harm I have identified to openness.
11. A hedge has been planted along the southern and western sides of the site, but I have few details of this and it will take time to become established. While it may soften the development, I have no basis to find it would conceal the caravans, especially as that could well diminish the attractiveness of the site to visitors by blocking the pleasant view over the valley. I also saw the many trees planted on the slopes of the ridge, but again they too will take a while to become established and, being at a lower level, their screening effects will be limited. These matters therefore do not lead me to different findings in relation to my assessment of the scheme against Framework paragraph 154(h)(v) or my concerns about its effects on the character and appearance of the rural landscape.
12. I acknowledge too that there has recently been a significant urban extension to Leighton Buzzard, just to the west of the site. The background to that is not before me, but it is a radically different form of development in a different location, and it could well have been plan-led. Consequently, its planning context is not the same as this scheme's. I also saw the lorry park to the south-east. Whatever its merits though, it is at a lower level and not as widely prominent as the appellants' development. Moreover, it does not change the character and appearance of the area, or the openness, to such a degree as to counter any adverse effect the appeal scheme has in these regards.
13. Finally, the appellants say the use has been operational for over 35 years and so is now part of the landscape. However, there is no Certificate of Lawfulness to show this or to demonstrate the site has been used in this way for even 10 years. The evidence I have on this matter is relatively scant, and in any event it is not for me, in considering a scheme under section 78 of the Act, to reach a view on whether or not the use is lawful. As a result, whilst I have noted the appellants' assertions in this regard, the weight I have afforded them in my decision-making is limited. Indeed even if caravans have been present intermittently over that time,

as their lawfulness is uncertain it is not a matter to which appreciable weight can be given.

14. Accordingly, as I have found the scheme fails to preserve the openness of the Green Belt and is contrary to one of the purposes of including land in it, I conclude this to be inappropriate development in this Green Belt location.
15. Moreover, I also conclude the scheme detracts unacceptably from the character and appearance of this rural landscape, and so conflicts with Policies HQ1, SP7 and EMP4 of the Local Plan, which require development to respond positively to its context, and reinforce local distinctiveness, and support uses such as this if there is no adverse effect on the location that cannot be appropriately mitigated.

Whether it would be a sustainable location

16. As stated, touring sites often need to be in the countryside out of necessity and also to appeal to potential customers. This is recognised in Policy SP7, where there is support for leisure uses in principle in such locations, if they are compliant with other specified policies. One of these is Policy HQ1, which requires connections that encourage travel by sustainable modes. In applying such an approach though a material consideration is paragraph 89 in the Framework, which recognises that sites meeting local business needs could have to be in locations beyond existing settlements that are not well served by public transport. Paragraph 89 adds though that any opportunity should be exploited to make the location more sustainable.
17. The site is some distance from services and facilities. The nearest bus stop is 1.1km away, although the appellants are willing to provide a permissive path over their field to the west to reduce this distance to some 700m. This would still require a further section of footpath linking it from the limits of the appellants' ownership to the public path along the open space by Fraserfields Way, and I have nothing to show that the owner of that land would be amenable to such works. The weight it can be afforded is therefore limited. Despite that, there are suitable, convenient road connections for motorised transport from the site to Leighton Buzzard. Given that such uses are broadly supported in the countryside, these connections are also relatively short.
18. Touring caravan sites are likely to appeal disproportionately to car-borne visitors. I consider though that households on holiday have very different travel patterns to permanent residents, as they are not there for all the year, and do not need to make trips to schools, employment and so on. It is also less probable that they will have 2 cars on different journeys at the same time. Rather, it is more likely they will travel around the area together over the course of a day.
19. Mindful of this, noting the qualified support for recreation and leisure uses outside settlements, and taking into account the proximity to Leighton Buzzard, on balance I consider that the sustainability of the location is not a basis to refuse the development, and I conclude there is not conflict with Local Plan Policies SP7 or HQ1 in this regard.

Whether other considerations amount to very special circumstances.

20. The Framework says inappropriate development should not be approved except in very special circumstances. It confirms that these circumstances will not exist unless the development's harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
21. The appellants have said the use brings economic benefits to the farm through diversification and employment for which there is support in the Framework. There is little evidence for this though and I am aware that the Framework's support for rural tourism is for developments that respect the character of the countryside. It was also said there would be biodiversity benefits but little to inform this has been forthcoming.
22. As such, I conclude this is inappropriate development and these considerations, even if taken together with any others raised, are not sufficient to outweigh the harm from inappropriateness and so amount to very special circumstances. As such, the scheme is contrary to Local Plan Policy SP4, and the Framework.

Whether the scheme has likely significant effects on the integrity of the Chilterns Beechwoods SAC

23. The final Reason for Refusal concerned the site's relationship to the SAC and whether it has any likely significant effects on the integrity of that area. However, there is no need for me to undertake a Habitats Regulations Assessment because the scheme is unacceptable for other reasons. I shall therefore not explore this matter further.

Conclusion

24. For the reasons given above I conclude the development would conflict with the development plan when taken as a whole, and the appeal should be dismissed.

JP Sargent

INSPECTOR