
Appeal Decision

Site visit made on 24 July 2025

by **G Sibley MPLAN MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 October 2025

Appeal Ref: APP/T0355/W/25/3360041

John Torrid Farm, Beenhams Heath, Shurlock Row, Reading RG10 0QQ

- 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 Mark Elgar against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref is 24/00673/FULL.
 - The development proposed is material change of use for a caravan holiday park.
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Decision

1. The appeal is allowed and planning permission is granted for material change of use for a caravan holiday park at John Torrid Farm, Beenhams Heath, Shurlock Row, Reading RG10 0QQ in accordance with the terms of the application, Ref 24/00673/FULL, subject to the conditions in the attached schedule.

Preliminary Matter

2. The parties dispute the status of the existing hardstanding. The description of development refers to the material change of use for a caravan holiday park and does not specify that separate operational development for the hardstanding was proposed. The appellant has confirmed that it has not been applied for in the application subject to this appeal. I see no clear reason why the hardstanding in the form that it exists must necessarily flow from, or be part and parcel of the material change of use proposed. I have, therefore, not considered it. The lawfulness or otherwise of the hardstanding is a matter for the parties to resolve outside of this appeal, which is concerned only with the stationing of the static caravans on the site.

Main Issues

3. The main issues relevant to this appeal are:
- whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (Framework) and relevant development plan policies, including the effect of the proposal on the openness of the Green Belt including the purposes of including land within it
 - the effect of the proposal on the character and appearance of the area
 - whether suitable measures would be included to adapt to and mitigate the effects of climate change
 - whether the proposal would secure a biodiversity net gain; and
 - the effect of the proposal on ecology and in particular trees.

Reasons

Whether Inappropriate Development

4. The appeal site is an open parcel of land located off Beenhams Heath and is currently used as a touring caravan park with 5 touring caravan plots, and the site is bound by timber fencing and trees. It is not disputed between the main parties that the development would be for outdoor recreation and based on the evidence before me I find no reason to disagree.
5. Policy QP5 of the Borough Local Plan (LP) identifies a number of exceptions for development that would be deemed to be not inappropriate development in the Green Belt. This policy is similar to that set out in Paragraph 154b) of the Framework which sets out that the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor recreation amongst other uses; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Policy QP5 is generally consistent with the Framework in this regard. The policy does also include several criteria that development for outdoor sport and recreation should comply with.
6. The appeal site is located near to Beenhams Heath, with touring caravans partly screened by fencing and trees. Views are limited beyond the roadside. From Smewins Road the appeal site is screened by the bund that extends along most of the length of a neighbouring field as well as a large building. As such, the effect of the proposal would be localised.
7. The appellant states that the touring caravans are typically on site across most of the year, even during the winter months and has provided evidence of this over a 12-month period in 2024. Whilst this may have been the case in 2024, this may not always be the case and there is no substantive evidence that this occurred in other years. Touring caravans are typically used differently to static caravans and are easier to transport. This means that views of touring caravans on site could be intermittent, especially compared to static caravans which are more likely to remain on site for prolonged periods of time.
8. Legally, static and touring caravans may be similar but as established in the Judgment in *St Anne's Court Dorset Limited* the use of static caravans differs from touring caravans insofar as they are more likely to be left on site during the winter months. That case related to whether a material change of use had occurred, rather than the comparable effect of touring and static caravans upon the openness of the Green Belt. The proposed static caravans would be structures that are likely to remain on site for a significant period of time and would, in effect, have a similar impact on the openness of the Green Belt as permanent structures.
9. The touring caravans can be sited generally in the same location as the proposed static caravans would be and whilst they are likely to be smaller in scale than the static caravans, they affect the visual openness of the Green Belt in localised views. Additionally, touring caravans could also include motorhomes which can be significantly sized and similar or even larger than static caravans.
10. The submitted plans identify the length and width of the proposed caravans, and a brochure has been provided, and the appellant has identified the type of caravan that would be used, although the final design of the caravans could be determined via a condition. The static caravans would generally be larger than the touring caravans.

However, whilst longer and wider than most touring caravans, static caravans are typically modest in scale. From localised viewpoints there would only be limited views of the static caravans above or around the boundary fencing and trees. Given that cars and other vehicles would be parked on site in association with the existing use and because they are intermittently on site, their effect on the visual openness would be similar to the existing use and very limited. The paraphernalia, including bins and recycling facilities, associated with the use on site would also be similar to that which would be expected with the touring caravans. Taking into consideration the above matters, the proposal would be unobtrusively located and would not appear prominent.

11. The static caravans would have a more impactful effect on the visual and spatial aspects of the openness of the Green Belt than the existing touring caravans given that they would likely be permanently sited, although the effect of this would be limited given the modest scale of static caravans. Similar conclusions concerning the differences between the size of touring and static caravans were held in several decisions I have been referred to¹. However, each case must be determined on its own merits and the effect of development upon the openness of the Green Belt is often site and case dependent and those appeals referred to were not located near to this site and had different site characteristics. This has led me to come to a different conclusion on this matter.

12. Overall, the development would have a limited effect upon the visual and spatial aspects of the openness of the Green Belt. However, this could be said for many new 'appropriate' facilities for outdoor recreation in the Green Belt.

13. The proposed development would use the existing vehicular access and would, in effect, replace the existing use for 5 touring caravans with 5 static caravans. Given the modest size of the site, the proposed use of the site for 5 static caravans would be appropriate for a holiday park of this size. The scheme would also not include additional facilities other than those necessary for the ongoing living conditions and highway safety of those on site. The development proposed would be appropriate in scale for the functioning of a permanent caravan holiday park for 5 static caravans. Overall, the modest scale of the appeal site, the static caravans and the change of use of the land would be no more than would be required for the proper functioning of the facility whilst respecting the need to preserve the openness of the Green Belt. For these reasons the proposal would not introduce a prominent urban element into the countryside.

14. The proposal would introduce new development into the Green Belt. However, given that the development would be modest in scale and the caravans would be sited in a similar location to the touring caravans, the proposal would not result in a level of encroachment that would conflict with the purpose of the Green Belt to assist in safeguarding the countryside from encroachment. Accordingly, the proposal would not conflict with purpose c of paragraph 143 of the Framework.

15. It is not disputed between the main parties that the development would not harm any other of the purposes of including land within the Green Belt set out in paragraph 143 of the Framework. I find no reason to reach a different conclusion on this matter, based on the evidence.

16. Therefore, the development would be an appropriate facility for outdoor recreation that preserves the openness of the Green Belt and would not conflict with the purposes of including land within it and as a result it would be not inappropriate development.

¹ Appeal References: APP/V2635/X/20/3263735, APP/H1840/W/18/3196248 & APP/U1430/X/16/3164696

Consequently, for the reasons given above it accords with Policy QP5 of the LP insofar as it relates to facilities for outdoor recreation in the Green Belt as well as paragraph 154b) of the Framework.

17. Policy QP5 also states that development (including lighting) should have no detrimental effect on landscape quality, biodiversity, residential amenity or highway safety and matters related to landscape quality and biodiversity are dealt with later in this decision.

Character and Appearance

18. The appeal site is located within the countryside, and the wider area is characterised by fields interspersed with agricultural buildings or forested areas. The appeal site is bound by timber fencing and is separated from Beenhams Heath by a grassed verge with trees and other vegetation. Around the wider site are two large commercial buildings and a dwelling, alongside several outbuildings. These buildings are accessed via Beenhams Heath, and the caravan site would share this access point. The rural character and appearance of the area is characterised by the design, use, sporadic siting and modest scale of the development around the wider area, alongside the trees and fields that separate them.

19. Caravans are already present on site and given their design, use, sporadic siting and modest scale are not out of character in this rural setting. The proposed static caravans would likely be on site for a greater amount of time within the local landscape compared to the existing touring caravans. However, given that the sight of touring caravans in this location is already established, static caravans would not appear alien in this context.

20. Whilst the length and width of the proposed caravans was set out in the submitted plans, the design of the static caravans to be used was not before the Council when it made its decision. However, the appellant has since provided details of the caravans to be brought on site. This includes information from a brochure but does not include detailed scaled elevation plans of the caravans. The appellant has identified the intended colour and design of caravan based upon the information in the brochure.

21. These would then be provided in brown which would generally assimilate well with the surrounding wooded areas, as well as the timber fencing around the site. Based on the design and modest size of the static caravans these would not appear out of character in this rural context. A condition has been suggested to provide the details of the caravans to be brought on site and based on the evidence before me and subject to the information submitted to discharge that condition, the caravans would not harm the character and appearance of the area. Additionally, the view of paraphernalia and parked vehicles would be appropriate in the context of a holiday park, like that proposed, and already occurs on site. The modest scale of the caravan park and the concentration of development around the wider appeal site would also limit the urbanising effect the scheme would have upon the wider areas rural character.

22. A condition has also been suggested to secure hard and soft landscaping proposals which, subject to the information submitted to discharge the condition, would provide opportunities to supplement the trees and vegetation that already bounds the site to enhance the appearance of it.

23. Therefore, for the reasons given above, I conclude that the proposed development would not harm the character or appearance of the area. Consequently, the

development would comply with Policies QP3 and QP5 of the LP insofar as they expect developments, amongst other matters, to respect and enhance the local, natural or historic character of the environment.

Climate Change

24. Policy SP2 of the LP requires all developments to demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change. It refers to, amongst other matters, the Sustainable Design and Construction Supplementary Planning Document, or successor documents, for further guidance. This has now been superseded by the Sustainability Supplementary Planning Document (SSPD) which is a material consideration.

25. Policy SP2 does not specify targets or standards, whereas the SSPD seeks to secure a contribution to the Council's carbon offset fund where developments have demonstrated that net zero cannot be achieved. The SSPD identifies an initial price of carbon offsets per tonne over a 30-year lifetime of the development.

26. Policy SP2 does not specify that net zero must be achieved. Furthermore, the Planning Practice Guidance states that policies for planning obligations should be set out in plans and examined in public and that it is inappropriate to set out formulaic approaches to obligations in Supplementary Planning Documents (SPD), as these would not be subject to examination and SPDs should not add unnecessarily to the financial burdens on development. The requirement for the planning obligation is set out in the SSPD and not within an LP policy and it has not been subject to independent examination or viability checks. Whilst the SSPD can encourage developers to exceed current policy and seek to provide net zero carbon emissions, it should not introduce new compulsory targets.

27. For the reasons given above, the contribution towards the carbon offset fund would not meet the tests set out in the National Planning Policy Framework and Regulation 122 of the Community Infrastructure Regulations 2010 (as amended).

28. Criteria 1 and 2 of Policy SP2 specify that the policy applies to all developments with parts a) and b) providing greater detail for particular developments. I do not consider that this would mean that the policy would not apply to developments that do not include new buildings.

29. The submitted specifications for the proposed caravans set out measures that would provide improved energy efficiency. A condition could be used to secure the delivery of the measures specified. As a result, it is evident that climate change adaptation and mitigation has been duly considered in accordance with Policies SP2 and EP1 of the LP.

Biodiversity Net Gain

30. The application was submitted prior to the mandatory requirement for developments to secure a 10% Biodiversity Net Gain (BNG) and as such, it is not applicable to this proposal. However, Policy NR2 of the LP expects developments to demonstrate a net gain in biodiversity by quantifiable methods such as the use of a biodiversity metric.

31. The evidence submitted does not demonstrate by quantifiable methods that a net gain would be achieved. However, the appeal relates to a material change in use and given the size of the site and the limited amount of space required for the caravans

there are opportunities to achieve a net gain in biodiversity on site, and it has not been robustly demonstrated that the scheme could not achieve this. A condition has been suggested to secure biodiversity enhancements and whilst this would be dependent on the information required to be submitted and approved as part of this condition, it is not evident that a biodiversity net gain could not be secured.

32. Therefore, subject to a suitably worded condition the proposal would achieve biodiversity net gain and as a result the development would generally comply with Policy NR2 of the LP.

Ecology and Trees

33. There are several trees around the appeal site, although the majority of it does not have any trees on it and is covered by the hardstanding and gravel. As noted earlier in this decision the trees make a positive contribution towards the rural character and appearance of the area.

34. The proposed caravans shown on the submitted plans would be located a modest distance from nearby trees and whilst the final design of the caravans would be subject to approval via condition, the caravans shown on the brochure would be modest in height. Based on the evidence before me, it is not evident that the scale or siting of the caravans would harm nearby trees, particularly given the limited differences between the existing touring caravans and the static caravans. However, a condition requiring the nearby trees are protected during works on site would be necessary in the interests of protecting those trees, notwithstanding who owns the land where the trees are located.

35. Given that permission is not being sought for the hardstanding the effect of this on the surrounding trees is a matter outside of the remit of this appeal. The trees that bound the site are not proposed to be removed and would continue to make a positive contribution towards the rural character and appearance of the area. Furthermore, tree planting could be secured as part of the soft landscaping proposals. Based on the size of the appeal site, as well as the land indicated to be owned by the appellant there would appear to be no substantive reason why additional trees could not be planted to supplement those nearby. While this is dependent on the information submitted as required by the condition, the proposal would be unlikely to put the trees at significant risk of harm, and the scheme could further enhance the rural character and appearance of the area, as well as support existing trees.

36. Circular 06/2005² advises that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by development is established before planning permission is granted. However, it goes on to state that bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development.

37. Whilst the Council identify that the site is within an 'amber' zone for Great Crested Newts it states that it would appear that the proposals would not impact Great Crested Newt habitat and that much of the land within the appeal site is unsuitable and that avoidance measure would not be a requirement. Based on the sites characteristics it has not been demonstrated that there is a reasonable likelihood of protected species being present and affected by the development. In light of this, the suggested

² Government Circular: Biodiversity and Geological Conservation (August 2005)

conditions related to mitigating the impact of the development and enhancing ecological value, as well as a lighting scheme would not pass the tests of reasonableness or necessity.

38. Therefore, the proposed development would not harm ecology or trees. Consequently, the development would generally be in accordance with Policies NR3 and QP5 of the LP insofar as they expect developments, amongst other matters, to consider the individual and cumulative impact of proposed development on existing trees.

Other Matters

39. Whilst I note concerns were raised from interested parties regarding ongoing enforcement action, based on the evidence before me, this relates to a different part of the wider site and is not related to this appeal.

40. The proposal before me must be determined on its own individual merits and whether there is a demand for the proposed development or how land outside of the appeal site is used has little to do with these. Matters related to the Council's history of enforcing planning conditions are outside of the remit of this appeal.

Conditions

41. Further to the statutory commencement condition, a condition requiring the development is carried out in accordance with the approved plans is necessary in the interests of certainty.

42. Condition 3 is necessary in the interests of ensuring the retained trees are protected during the construction phase. It is necessary for it to be pre-commencement as it is fundamental to have this matter secured prior to any development commencing on site which could affect the trees around the site prior to the works approved by this condition being implemented. I have revised the wording of this condition in the interests of clarity and reasonableness.

43. Condition 4 is necessary in the interests of enhancing the biodiversity of the area. It would not pass the tests of necessity for this condition to be pre-commencement and as such I have revised this condition to require this information before the stationing of the caravans in the interests of necessity and reasonableness.

44. Conditions 5 and 7 are necessary in the interests of the character and appearance of the area. It would not pass the tests of necessity to require this information before the commencement of the development and thus I have revised the wording of this condition in the interests of necessity and reasonableness.

45. Condition 6 is necessary in the interests of climate change adaptation and mitigation. I have revised the wording of this condition in the interests of necessity and reasonableness.

46. Conditions 8 and 9 are necessary in the interests of highway safety. I have revised condition 8 to specify the approved drawing in the interests of certainty.

47. Conditions 10 and 11 are necessary in the interests of the living conditions of the occupiers of the caravans and in the interests of securing appropriate drainage. I have revised the wording of these conditions in the interests of necessity and reasonableness.

48. Conditions 12 and 13 are necessary to ensure the appeal site is used in the manner which is intended by the proposal. I have revised the wording of these conditions in the interests of certainty and reasonableness.

49. Whilst conditions were recommended by the Archaeological Officer, the Council determined that as there will not be any earthworks required to facilitate the development, conditions regarding a written scheme of investigation would not be considered necessary. Based on the information before me, I find no reason to conclude differently on this matter and have not included the suggested conditions.

Conclusion

50. The proposed development would be in accordance with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above, I conclude that the appeal should be allowed.

G Sibley

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos: Site Location Plan (6029 OS 101p1); Site Block Plan (6029/26p1); Proposed Caravan Area (6029/25p2); and Proposed Caravan Area (6029/25p3).
- 3) Any trees whose canopies overhang the site shall be protected by strong fencing, the location and type to be previously approved in writing by the local planning authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made.
- 4) Before the stationing of the caravans hereby permitted the locations and specifications of biodiversity enhancements which demonstrate a net gain in biodiversity by quantifiable methods, including the timescales to implement these enhancements, shall be submitted to and approved in writing by the local planning authority. The approved biodiversity enhancements shall be installed in accordance with the details and the timescales approved.
- 5) Before the stationing of the caravans hereby permitted, full details of the design and appearance of the caravans shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved plans and details and retained as approved.
- 6) Before the stationing of the caravans hereby permitted, details of measures to minimise heat loss shall be submitted to and approved in writing by the local planning authority. The development shall be carried out and maintained thereafter in accordance with the approved details.

- 7) Before the stationing of the caravans hereby permitted, full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out in full and as approved, within the first available planting season following initial occupation of any of the caravans here permitted. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity.
- 8) Prior to the initial occupation of any of the caravans hereby permitted provision shall be made within the site for the parking of vehicles in accordance with approved drawing Proposed Caravan Area (6029/25p3). The parking areas shall be retained for the designated uses for as long as the development hereby permitted remains in existence.
- 9) Prior to the initial occupation of any of the caravans hereby permitted details of covered and secured cycle parking facilities shall be submitted to and approved in writing by the local planning authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.
- 10) Prior to the initial occupation of any of the caravans hereby permitted, details of refuse bin storage areas and recycling facilities shall be submitted to and approved in writing by the local planning authority. These facilities shall thereafter be kept available for use in association with the development at all times.
- 11) Prior to the initial occupation of any of the caravans hereby permitted, a scheme to dispose of foul drainage shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented and retained as approved thereafter.
- 12) The caravans hereby approved shall be occupied for holiday purposes only. They shall not be occupied as a person's sole, or main place of residence. The owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans on the site, and of their main home addresses, and shall make this information available upon request to the local planning authority within one calendar month of a written request from the local planning authority.
- 13) No more than five static holiday caravans shall be positioned on the site at any time.

End of Schedule