



Appeal Decision

Site visit made on 26 August 2025

by **D Ellis MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17th November 2025

Appeal Ref: APP/P0240/W/25/3367821

Dyers Hall Farm, Sundon Road, Harlington, Central Bedfordshire LU5 6LL

- 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 Anker against the decision of Central Bedfordshire Council.
 - The application Ref is CB/25/00722/FULL.
 - The development proposed is change of use of agricultural land to provide dog walking field with erection of fencing and small hardstanding area.
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Decision

1. The appeal is dismissed.

Main Issues

2. 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;
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on highway safety, with particular regards to suitable access and parking.

Reasons

Green Belt

3. The National Planning Policy Framework (the Framework) establishes that new buildings and certain other forms of development in the Green Belt are inappropriate except in certain circumstances, which are listed in paragraphs 154 and 155.
4. LP Policy SP4 is consistent with the Framework in that it seeks to prevent inappropriate development in the Green Belt, and further states that applications for development in the Green Belt will be assessed in accordance with the Framework.
5. The term 'building' includes any structure or erection, therefore fences and gates can reasonably be considered as 'buildings' for the purposes of the Framework.
6. Paragraph 154(h)(v) of the Framework allows for a material change of use in the land, while Paragraph 154(b) allows for the provision of appropriate facilities in connection with a change of use, including buildings, for outdoor recreation. In

both instances the Framework requires the development to preserve the openness of the Green Belt and not to conflict with the purposes of including land within it.

7. Openness is an essential characteristic of the Green Belt, and one of the fundamental aims of the Green Belt is to keep land permanently open. The Planning Practice Guidance states that openness is capable of having both spatial and visible aspects, so that both the visual impact of the proposal and its size may be relevant¹.
8. The perimeter fence would be 1.8m in height but would be of a lightweight metal mesh design with timber posts. The steel access gate would be 2.1m in height but is also of a lightweight design. However, the fence, gate and areas of gravel for vehicles would be constructed where no structure currently exists. As such, and because these features would be visible in views from the road and visible to users of the field, the proposal would undoubtedly result in a reduction in both the spatial and visual openness of the Green Belt, although the reduction in openness would be limited due to the lightweight design of the fence and gate. Nevertheless, even a limited reduction in openness would mean that the openness of the Green Belt is not preserved.
9. My attention has been drawn to an appeal decision which allowed a change of use from agriculture to a dog walking field at Hockliffe². However, the decision letter makes no reference to the Green Belt, and as such does not justify the appeal proposal.
10. Even if the proposal would not result in the encroachment of the countryside, due to the reduction in openness the proposal would not satisfy paragraphs 154(b) or 154(h)(v) of the Framework. It has not been suggested that the proposal would fall under any other exception in paragraphs 154 or 155. Consequently, the proposal would constitute inappropriate development.

Character and appearance

11. The appeal site is located in flat open countryside. In keeping with surrounding fields, the appeal site is pasture enclosed by hedgerows. There are currently no structures or other development in the field which, together with the openness of the field, contributes strongly to the rural character and appearance of the countryside.
12. As discussed above, although fence, timber posts and gate would be of a lightweight appearance, they would be of a significant height and would be constructed where no structures, including other fences and gates, currently exist. The existing hedge along Sundon Road would partly screen the fence, however it is unclear from the submitted drawings whether the hedge is within the control of the appellant. Consequently, the hedge could be cut to a height which reveals more of the fence to those travelling along Sundon Road.
13. As such, the proposed fence, timber posts and gate, together with the gravel parking area and any signage or bins would not be typical of the open countryside at this location. The proposal would therefore be an obtrusive feature which would detract from the character and appearance of the countryside and the setting of the nearby National Landscape.

¹ Planning Practice Guidance, Paragraph: 001 Reference ID: 64-001-20190722

² Planning appeal ref. APP/P0240/W/23/3334143

14. The proposal would therefore conflict with LP Policy HQ1, insofar as it requires development to respond positively to their context, and for the scale and appearance of a development to relate well to the existing local surroundings. The proposal would also conflict with LP Policy EE5, which seeks to protect landscape character.

Access and parking

15. The proposed parking area would accommodate one vehicle at a time. The appellant states that the booking system for the dog walking field would only allow one household and one vehicle permitted for each booked timeslot. However, it is unclear how the one-vehicle limit would be enforced, should one household arrive in more than one vehicle. Furthermore, even if there is a fifteen-minute buffer between timeslots, the potential exists for more than one vehicle to be at the site at the same time, such as if the current customer is slow to leave or stays in the field beyond their allotted time, or the next customer turns up early.
16. There would be space in the farm access road for a second vehicle to wait for a vehicle in the parking area to leave. However, should more than two vehicles be present at the site, then vehicles would potentially start to obstruct Sundon Road, restricting the free flow of vehicles travelling along the road. Furthermore, the speed limit of Sundon Road at the appeal site is 60 miles per hour which, and the bend in the road to the south-east of the site limits the visibility of the site entrance to vehicles approaching from that direction. As such, any obstruction on the road at the site entrance would increase the risk of a collision and thus would harm highway safety.
17. In the Hockliffe appeal, the Inspector states that there was no substantive evidence before them to indicate the proposed parking provision would be insufficient, unlike in the appeal before me. For these reasons, the Hockliffe appeal does not justify the parking arrangements in this case.
18. For these reasons, the proposed parking area for one vehicle would fail to provide suitable access to the site and would cause harm to highway safety through an increased risk of collisions on Sundon Road.
19. The proposal would therefore conflict with Policies T2 and T3 of the Central Bedfordshire Local Plan 2015-2035 (2021) (LP), insofar as they require development to provide safe and convenient access.

Other considerations

20. The proposal would provide dog walking facilities for local residents. However, given the proposed low-intensity usage of the field, I afford the benefits of the scheme modest weight in support of the appeal.
21. I have been referred to planning permissions granted by other LPAs for dog walking fields in the Green Belt. The dog walking field at Lilley³ had been constructed prior to the submission of its planning application, and I have no details before me of the appearance of the field and its surroundings prior to the construction of the dog walking field. I am therefore unable to make any meaningful comparison between the site at Lilley and the current appeal site. Furthermore, full details of the examples in Newark and Sherwood, Cheshire West

³ Planning application ref. 22/01834/FP

& Chester, and Worcester, have not been provided. I therefore cannot be certain that these examples are directly comparable to the appeal proposal before me, which has been determined on its own merits. Accordingly, I attach little weight to the permissions referred to in favour of the appeal.

Conclusion

22. The proposal would cause harm to the Green Belt by way of inappropriateness, the assessment of which also identified that openness would be harmed. In accordance with paragraph 153 of the Framework, I attach substantial weight to the harm the proposal would cause in this regard. I have also found that the proposal would harm the character and appearance of the area and highway safety. Clearly, therefore the degree of harm caused would be considerable. I find that the other considerations in favour of the appeal fall well short of clearly outweighing the harm identified. As a consequence, the very special circumstances necessary to justify the development do not exist. The proposal therefore does not accord with LP Policy SP4, the aims of which I have set out above.
23. I therefore conclude that the proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal is therefore dismissed.

D Ellis

INSPECTOR