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## Appeal Decision

Site visit made on 19 November 2025

by **S Lo LLB M.SRA**

an Inspector appointed by the Secretary of State

Decision date: 17<sup>th</sup> February 2026

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**Appeal Ref: APP/M3645/W/25/3372019**

**Havens Field Farm, Eastbourne Road, Lingfield RH7 6LG**

- 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 & Mrs Cullip against the decision of Tandridge District Council.
  - The application Ref is TA/2024/1308.
  - The development proposed is for agriculture use including a double fronted stable, triple fronted stable, large open shelter, chicken coop, small dog kennels, portable toilet, mobile home (day use), hard standing track, and nature garden and pond.
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### Decision

1. The appeal is dismissed

### Preliminary Matters

2. In the interests of clarity, I have adopted the Council's description of the development as set out in the decision notice, which is the same one used by the appellant in the appeal form. This revised description is more accurate, as the original description included a caravan (for storage), but this was removed during the application process. I have also determined the appeal on the basis that planning permission has been sought retrospectively. This approach is consistent with that taken by the Council and more accurately reflects the nature of the development.

### Main Issues

3. The main issues are:
  - whether or not the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
  - the effect of the development on the openness of the Green Belt;
  - the effect of the development upon the character and appearance of the surrounding area; and
  - whether or not 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

### *Whether or not inappropriate development in the Green Belt*

4. The Framework clarifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The proposal should be assessed against the presumption that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
5. The construction of new buildings should be regarded as inappropriate in the Green Belt, subject to a number of exceptions set out in paragraph 154 and 155 of the Framework. Policy DP10 of the Tandridge Local Plan Part 2: Detailed Policies 2014 (the LP) sets out a general presumption against inappropriate development, stating that inappropriate development in the Green Belt will only be permitted where very special circumstances exist. It is therefore consistent with the Framework.
6. One exception, at paragraph 154 a) of the Framework, is for buildings for agriculture and forestry. Policy DP13 of the LP states that the construction of new non-residential buildings directly related to agriculture or forestry, would not represent inappropriate development. It is therefore broadly consistent with the Framework.
7. The Council have confirmed that the stables, open shelter, chicken coop, dog kennels, portable toilet would meet exception a) of paragraph 154 and therefore do not represent inappropriate development. I find no reason to disagree with the Council's assessment.
8. The appellant has confirmed that the mobile home provides a place for them to rest and wash while working, as well as providing essential accommodation for their disabled daughter during the working day. It is also used as a breakout and welfare space for workers and visitors to the farm. Occasional visitors to the site, such as sheep shearers, vets, hay deliverers and farriers use the facility to wash their hands, complete paperwork and take precautions to prevent the spread of livestock diseases. During my site visit, I observed that the mobile home contains a kitchen, bathroom, living area and bedroom, and has been clearly designed for some level of human occupation.
9. The mobile home appears to be a single structural unit raised on supporting legs. An outdoor seating area has been created beside it, along with ornamental features such as small shrubs and lighting. Gas canisters were positioned behind the unit, and steps had been constructed at the entrances to facilitate access, giving the impression of some degree of occupational permanence. Although wooden panelling has been added around the lower sections, it does not appear to be positioned on a purpose-built plinth or hardstanding, and this limited degree of permanence is unlikely to inhibit its mobility. It therefore remains structurally capable of being readily moved, as it appears only to be lightly anchored in place and could be transported on the back of a vehicle. It appears instead to be capable of being detached with relative ease and there is no evidence before me to confirm that the unit is fixed directly to the ground. Accordingly, as a matter of fact and degree, it is considered that it meets the legal definition of a caravan<sup>1</sup> and

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<sup>1</sup> Section 29 of the Caravan Sites and Control of Development Act 1960

constitutes a movable structure (caravan) rather than a building. Consequently, it does not meet the relevant criteria for paragraph 154 a) of the Framework, which applies only to buildings for agriculture or forestry.

10. Another potential exception is paragraph 154 h) v of the Framework, which allows for other forms of development provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. This includes material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds). However, established caselaw<sup>2</sup> confirms that this is not an open-ended category. The development does not fall within the flavour of extent of the types of development referred to, and the exception therefore does not apply.
11. The Council have also raised concerns regarding the hardstanding track which provides access to the agricultural structures. The track is described as a mixture of mud, grass, and gravel. The appellant's have stated that they are purposely allowing grass to grow through the gravel to soften its appearance. Nonetheless, this hardstanding track represents an engineering operation, which was constructed on undeveloped land. As such, it is possible that it could fall under paragraph 154 h) ii of the Framework. However, it would need to be demonstrated that it would preserve openness and not conflict with the purposes of including land within it.
12. For these reasons, I conclude that the stationing of the mobile home, for which an application for planning permission has been sought, does not fall within any exception for development and would constitute inappropriate development in the Green Belt.
13. In terms of the hardstanding track, whether or not this would be inappropriate development is dependent on if it would preserve openness.

### *Openness*

14. The Planning Practice Guidance (PPG) states that assessing the impact of a proposal on the openness of the Green Belt requires a judgement based on the circumstances of the case. It outlines several matters that may need to be taken into account when making this assessment, including, but not limited to, the spatial and visual aspects of the development. Other relevant considerations may include the duration of the development, its remediability and the degree of activity likely to be generated, such as traffic generation.
15. The lawful use of the appeal site is agricultural land, and a planning application has been sought for the retention of the mobile home and the hardstanding.
16. The introduction of a mobile home adds an additional presence and form to the site, which was otherwise undeveloped land. In spatial terms, the introduction of this additional built form would increase the volume of development on the site and would therefore result in harm to the openness of the Green Belt. Although wider public views from the surrounding open countryside are limited, the structure would appear to be a domestic unit to those entering the land. This impression is reinforced by the domestic paraphernalia present within the curtilage. Accordingly, the mobile home diminishes the openness of this part of the Green Belt.

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<sup>2</sup> RB of Kingston upon Thames v SSLUHC [2023] EWHC 2055 (Admin)

17. With regard to the hardstanding, its introduction onto land previously free from development results in a clear encroachment into the countryside. In spatial terms, the Council considers that it introduces built form into an area that was previously free from development. Although the hardstanding may not possess any vertical massing, it nonetheless represents an engineering operation and a tangible physical intervention in the landscape. Its scale and permanence are sufficient to facilitate access to the other agricultural buildings. Visually, however, the effect is more limited as the surface is partly overgrown and at a distance the track does not appear unduly intrusive in the wider landscape. While the visual impact is therefore relatively contained, this does not negate the spatial harm, which arises from the physical presence, extent and functional role of the hardstanding rather than its visibility. Accordingly, while I find the visual impact to be acceptable, this does not overcome the spatial harm identified.
18. Taken together, the mobile home and the hardstanding would result in harm to the openness of the Green Belt. They would not meet any other exception in the Framework. In this regard, they would also fail to comply with Policies DP10 and DP13 of the LP.

### *Character and Appearance*

19. The appeal site comprises open agricultural land and, as such, the surrounding area is largely free from development. Where buildings are present, they are typically rural in character and display the functional, utilitarian qualities associated with working agricultural structures. These buildings contribute to a landscape that is predominantly open and undeveloped, reinforcing the area's established agricultural character and its role within the wider countryside.
20. The Council has not raised any concerns regarding the fencing, stables, open shelter, chicken coop, and dog kennels. These are constructed from natural materials and are considered to be of a simple rustic design which is appropriate for the location. Similarly, they consider that the nature pond integrates well into the rural surroundings. I have found no reason to disagree with this assessment.
21. As discussed above, the visual effect of the hardstanding is limited, and in this respect, it would be acceptable from a character and appearance point of view as it integrates with the existing group of agricultural buildings.
22. The mobile home's domestic-styled design, including its fenestration, dual front entrances, and external treatments, is not typical of agricultural-related structures such as field shelters, store sheds, or temporary welfare units. The mobile home is not constructed from timber and, as such, does not reflect the natural materials used in the surrounding agricultural buildings. Instead, its overall layout, use of materials and form are consistent with what would ordinarily be understood as a mobile home intended for accommodation or similar domestic purposes. This distinctly domestic appearance strongly indicates that the land is no longer being used solely for agricultural purposes.
23. This domestic character is further accentuated by the presence of associated domestic paraphernalia observed during my site visit, including outdoor seating areas and plant pots. Collectively, these elements mean that the mobile home does not exhibit the form, materials or functional qualities normally associated with the agricultural buildings. Instead, it introduces a distinctly domestic feature into an otherwise rural working landscape, thereby weakening the countryside's character.

24. While I recognise that the appellants intend for the mobile home to be used for purposes which are incidental to agriculture, this does not alter its appearance. The structure would still appear to be a domestic mobile home which would appear incongruous within the wider rural setting.
25. In conclusion, the development would have a harmful effect upon the character and appearance of the surrounding area. It would not integrate effectively with its surroundings, contrary to Policy DP7 of the LP. It would not reflect and respect the character, setting and local context of the countryside, contrary to Policies CSP 18 and CSP 21 of the Tandridge District Core Strategy 2008 (CS).

#### *Other considerations*

26. The mobile home has been described as providing an area for the appellants to rest and clean themselves during the day while maintaining the land. Similarly, the mobile home is described as providing an essential safe space for the appellants' disabled daughter to rest while her parents work on the farm. However, no substantive evidence has been provided to what extent the amenities of the mobile home are necessary to accommodate her, or whether those needs could reasonably be met by an alternative structure with a less domestic appearance and reduced functional capacity. Nonetheless, I attach moderate weight to these considerations in favour of the proposal, given the importance of supporting the wellbeing of the workers of the agricultural unit as well as a vulnerable family member.
27. The appellants state that the hardstanding facilitates access to the agricultural structures, particularly for their disabled daughter. They also indicate that the track assisted her medical recovery when an ambulance was required. However, given that the existing access road covers most of the route to the appeal site, it is unclear to what extent the ambulance would have been unable to reach her without the presence of the hardstanding. They also submit that the hardstanding allowed fire services to access a serious fire on land adjoining the farm. However, there is very limited evidence before me as to why the hardstanding was essential, where the fire occurred, or to what extent access relied upon the track. In the absence of clear and compelling evidence, I cannot be satisfied that the hardstanding was necessary to facilitate emergency access. Accordingly, I afford these considerations limited weight.
28. The mobile home provides essential washing facilities not only for the owners, but also visiting workers such as vets, sheep shearers, and farriers. Accordingly, it helps to prevent the spread of contagious livestock viruses and to maintain hygiene after using certain farming products. However, there is nothing before me to suggest that biosecurity measures could not be adequately facilitated through other services which are more suitable to the rural environment, such as outdoor washing facilities and sinks rather than a mobile home. It is not considered that this requirement would be sufficient to justify the inclusion of the mobile home on the site. On that basis, this consideration carries very limited weight.
29. The appellants have offered to accept a planning condition that would prohibit any residential occupation of the mobile home, restricting it to agricultural day-use only. However, such a condition would not alter the harm to the Green Belt identified above, which arises from the physical presence of the structure itself rather than how it is used. I therefore afford this consideration limited weight.

30. I have considered the appellant's reference to the site's former use for the flying of model aircraft, during which a large container was reportedly stationed on the land and used as a tearoom for club members. However, there is no substantive or detailed evidence before me regarding the container's size, exact siting, appearance, or the duration of its presence. Nor is there any information to demonstrate that the use of the land for model aircraft, or the associated container, benefited from a lawful change of use. On the evidence available, the lawful use of the land remains agricultural. Consequently, I cannot attach weight to the presence of the container as a basis for comparing the current proposal. I therefore afford this consideration limited weight.
31. The appellants suggest that, should I remain opposed to certain elements of the proposal, a split decision could be issued. In principle, this would allow permission to be granted for those agricultural structures deemed acceptable while refusing the contested elements, such as the mobile home and the hardstanding track. However, the plans before me have not been revised to support such an approach. Instead, they continue to show not only the mobile home but also the storage caravan, which has already been withdrawn from the scheme. In the absence of clearly updated plans enabling a split decision to be issued with confidence, I consider that it would not be reasonable to take this approach.

### **Other Matters**

32. The proposal has resulted in biodiversity and environmental benefit through the planting of fruit trees and construction of a pond. Nonetheless, given the limited scale of the development, these benefits are relatively minor in planning terms.

### **Green Belt Balance**

33. I have concluded that the mobile home and the hardstanding would be inappropriate development and would therefore, by definition, be harmful to the Green Belt. I have also found that the proposal would cause harm to the openness of the Green Belt. These are matters to which I give substantial weight as required by paragraph 153 of the Framework. This weighs heavily against the development.
34. I have outlined a range of benefits of the scheme in the other considerations section above. These are worthwhile and understood, and it is clear that considerable thought and effort has gone into the proposal. Significant weight is given to the objective of supporting economic growth and productivity, as outlined in paragraph 85 of the Framework. Furthermore, paragraph 96 states that planning decisions should aim to achieve healthy, inclusive and safe places which, are safe and accessible and enables and supports healthy lives. The other considerations advanced - including personal circumstances, access, economic development, biosecurity measures and the day-use condition - collectively attract limited to moderate weight. Specifically, it is acknowledged that the proposal would assist the ability of their daughter to continue accessing the site. As such, moderate weight is attached to the benefits of the scheme.
35. Nonetheless, these identified benefits do not outweigh the harm to the Green Belt by way of inappropriate development and the effect on openness, to which I attach substantial weight. Consequently, the very special circumstances necessary to justify the development do not exist.

## Planning Balance

36. In addition to this harm to the Green Belt from the mobile home and the hardstanding, I have identified further harm to the character and appearance of the area from the mobile home. This adds further weight against the proposal in the overall planning balance. The combined harm and related policy conflicts are attributed substantial weight against the scheme, which is not outweighed by the benefits, to which I afford moderate weight.
37. In exercising my function on behalf of a public authority, I have had due regard to the Public Sector Equality Duty (PSED) contained in the Equality Act 2010. The Act sets out the relevant protected characteristics, which for this appeal, includes age and disability. Since there is the potential for my decision to affect persons with a protected characteristic, I have had due regard to the three equality principles set out in Section 149 of the Act. I acknowledge the negative impacts of dismissing the appeal, particularly given that the appellants are pensioners and considering their daughter's disability and associated needs. Nonetheless, having due regard to this consideration and my findings of harm, my decision to dismiss the appeal is proportionate and necessary having regard to the well-established policy aims in the development plan and Framework. Taken alongside the other considerations forwarded by the appellant, the PSED does not alter my conclusions on the outcome of the appeal.
38. I have considered the appellants' circumstances in the context of Article 8 of the Human Rights Act 1998, which protects the right to respect for private and family life. I recognise that the dismissal of the appeal may have implications for the appellants' family life and the needs of their daughter. However, Article 8 is a qualified right, and interference may be justified where it is in the public interest and proportionate. In this case, any interference arising from my decision is necessary and proportionate in the pursuit of the legitimate planning objectives reflected in the development plan and national policy. The protection of the public interest cannot be achieved by means that interfere less with the appellant's family life. Accordingly, the outcome of the appeal does not amount to a violation of this Article 8.

## Conclusion

39. The proposal conflict with the development plan taken as a whole and material considerations do not indicate that the appeal should be determined other than in accordance with it. Therefore, for the reasons set out above, I conclude that the appeal should be dismissed.

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INSPECTOR