



Appeal Decision

Site visit made on 09 February 2026

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 February 2026

Appeal Ref: APP/J0405/C/24/3349116

Land at The Courtyard, Upper Little London Farm, Little London, Wendover, Buckinghamshire HP22 6QQ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr Michael Passoro against an enforcement notice issued by Buckinghamshire Council - North Area (Aylesbury).
- The notice was issued on 11 June 2024.
- The breach of planning control as alleged in the notice is without planning permission (1) the material change of use of the land to residential facilitated by the siting of a static caravan and; (2) operational development consisting of the demolition of a building, the erection of a metal and wooden fence and an outbuilding.
- The requirements of the notice are to:
 - Step 1- Permanently cease the unauthorised residential use of the Land.
 - Step 2- Permanently remove the static caravan (shown in the approximate location and labelled A on the attached Plan 2)¹ from the Land.
 - Step 3- Permanently remove all residential paraphernalia, including but not limited to, washing line, barbeque and tables, from the Land.
 - Step 4- Permanently remove the outbuilding including any structures, awnings or porches attached to it (shown in the approximate location and cross hatched in black on the attached Plan 2) from the Land and ensure all materials used in its construction are removed from the Land.
 - Step 5- Permanently remove the metal and wooden fence (shown in the approximate location and hatched in black on the attached Plan 2) including any structures, awnings or porches attached to it, from the Land and ensure all materials used in its construction are removed from the Land.
 - Step 6- Back-fill any holes created by the removal of fence posts from the Land.
 - Step 7- Permanently remove any debris or materials from the Land which arise as a result of complying with Steps 1, 2, 3, 4, 5 and 6 of this Notice
- The period for compliance with the requirements is 6 months.
- The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Summary Decision: The appeal is dismissed and the enforcement notice is upheld.

Main Issues

1. The appeal is made under ground (a) which is that planning permission ought to be granted in respect of the breach of planning control alleged in the notice. I have considered the reasons for issuing the notice and the main issues are:
 - whether the development and material change of use are inappropriate development in the Green Belt, including the effect on the openness of the Green Belt;
 - whether the site is an acceptable location for a residential use having regard to the spatial strategy in the development plan and accessibility;

¹ Reference to an attached plan in this heading is reference to a plan attached to the enforcement notice.

- the effect of the development and material change of use on the character and appearance of the area including the scenic beauty of the Chilterns National Landscape;
- whether adequate provision is made for car parking; and
- if the development and material change of use are inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development

2. The site comprises land in the Metropolitan Green Belt. The National Planning Policy Framework (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.
3. The site forms part of a complex of former farm buildings which are now in industrial and storage use. The site is located on Dunsmore Lane and is bordered by built form on 3 sides. The Council states that the site previously comprised an agricultural structure in industrial use. The alleged breach of planning control relates to the material change of use of the land to residential use facilitated by the siting of a static caravan and operational development consisting of the demolition of a building, the erection of a metal and wooden fence and an outbuilding.
4. The Framework advises that development should be regarded as inappropriate in the Green Belt subject to exceptions. Policy S4 of the Vale of Aylesbury Local Plan (2021) (LP) requires that development in the Green Belt complies with the provisions of the Framework. No case has been advanced that the development and material change of use meet any of the exceptions to inappropriate development listed in paragraph 154 of the Framework.
5. The essential characteristics of Green Belts are their openness and permanence. Openness can have a spatial as well as a visual aspect. The static caravan, fence and outbuilding are clearly visible on the site, and the static caravan and outbuilding are visible from Dunsmore Lane. Even when seen in combination with neighbouring built form, these structures result in a reduction of visual and spatial openness of the Green Belt by infilling space, resulting in a harmful effect on the openness of the Green Belt.
6. The material change of use and development are inappropriate development resulting in a harmful effect on the Green Belt's openness. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and substantial weight is given to any harm to the Green Belt. Conflict therefore arises with the Framework and LP policy S4, which set out that the construction of new buildings is inappropriate in Green Belt.

Settlement strategy and accessibility

7. The site is not located within a settlement boundary and the Council states that the residential use of the site results in a conflict with LP policy D3. This policy relates to non-allocated sites at strategic settlements, larger villages and medium villages. There is no suggestion that the site is located within a strategic settlement, larger

village or medium village and consequently, the requirements of LP policy D3 do not appear to be applicable to this appeal. I have not been directed to any other development plan policies relating to the district's settlement strategy.

8. Access to the site is from Dunsmore Lane, an unlit rural lane with no footpath. There are no services or facilities within the vicinity of the site and no apparent opportunities to use public transport. Given the level of local service provision, and the local highway conditions, journeys on foot or by bike may be undesirable to occupiers of the static caravan resulting in a likelihood that residents would drive to nearby settlements, rather than walk or cycle.
9. Drawing on the above, whilst I have not been directed to a particular conflict with the settlement strategy in the development plan, the residential use of the site results in a dependence on the private motor vehicle which conflicts with the core planning principles of the Framework which seek to guide development towards sustainable solutions and LP policy S1 which requires that development comply with the principles of sustainable development in the Framework.

Character and appearance

10. The site is located on Dunsmore Lane, a hedge-bound rural lane in the open countryside. The verdant lane combines with the adjoining undulating arable fields to form part of an attractive, sloping valley landscape which contribute positively to the landscape qualities of the area and the scenic beauty of the Chilterns National Landscape (NL). The static caravan and outbuilding are visible from Dunsmore Lane above the boundary enclosure.
11. The scale, form and siting of the static caravan, outbuilding and fence appear cramped, jarring and unsympathetic, giving the site a cluttered urban appearance which is at odds with the site's verdant rural surroundings. This detracts from the attractive character and appearance of the area and fails to further the purpose of conserving and enhancing the natural beauty of the NL².
12. The alleged breach of planning control results in harm to the character and appearance of the area including the scenic beauty of the NL. Conflict therefore arises with those aims of LP policies BE2, NE3 and NE4 which seek to ensure that development conserve and enhance the NL, respect and complement the physical characteristics of the site and its setting and the natural qualities and features of the area. Conflict also arises with the Framework in respect of promoting development that conserves and enhances the landscape and scenic beauty of National Landscapes.

Car parking

13. At my site visit I observed that a parking area for the occupiers of the static caravan had been formed at the site access which appeared to be of sufficient size to accommodate 2 vehicles. I am satisfied that the occupiers of the static caravan are provided with an appropriate level of car parking in accordance with the requirements of LP policy T6.
14. LP policy T8 sets out a requirement for the provision of electric vehicle charging points (EVCP). The parking area does not include an EVCP. Nonetheless, I am satisfied that, if the development were acceptable in all other respects, this matter

² Section 85 of the Countryside and Rights of Way Act 2000

could be satisfactorily addressed through the imposition of a condition requiring the provision of an EVCP within a specified period to ensure compliance with the requirements of this policy. Therefore, no harm arises from this conflict.

Other considerations

15. The Framework states that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
16. The appellant states that there is a need for the static caravan for security reasons, as it acts as a deterrent to potential incidences of trespass, vandalism and fly tipping at Upper Little London Farm. However, it has not been evidenced that alternative measures, such as engaging a security management company or additional CCTV cameras, could not be used to improve surveillance of Upper Little London Farm to act as a deterrent against trespass, vandalism and fly tipping. This reduces the weight to be afforded to the security benefits provided by the static caravan. Therefore, the benefits arising from the security provided by the static caravan do not clearly outweigh the harm to the Green Belt by reason of inappropriateness and the other harms identified above. Thus, the very special circumstances necessary to justify the development do not exist.

Other Matters

17. The site is in the Beechwood Special Area of Conservation (SAC) in which developments including a net gain in residential development have the potential to give rise to significant effects. As I have found harm in relation to the main issues it is not necessary in this instance to undertake an appropriate assessment to consider the effect on the SAC.

Conclusion

18. For the reasons given above, the unauthorised development and material change of use have a harmful effect on the openness of the Green Belt, the character and appearance of the area and the scenic beauty of the NL and result in a residential use in an area with limited local service provision, resulting in a dependence on the private motor vehicle. I therefore conclude that the appeal on ground (a) should not succeed.

Formal Decision

19. The appeal is dismissed, the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the Town and Country Planning Act 1990 as amended.

N Robinson

INSPECTOR