



Appeal Decision

Site visit made on 20 January 2026

by **S Lo LLB M.SRA**

an Inspector appointed by the Secretary of State

Decision date: 21 April 2026

Appeal Ref: APP/P0240/W/25/3375132

Fourwinds Farm, Leighton Road, Stanbridge, Central Bedfordshire LU7 9HW

- 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 the company Saint John Jacob against the decision of Central Bedfordshire Council.
 - The application Ref is CB/25/00328/FULL.
 - The development proposed is the erection of a place of worship (Use Class F.1) for Orthodox Christians and associated parking, landscaping and biodiversity enhancement of the site.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether or not the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework ('Framework') and relevant development plan policies;
 - the effect of the proposal on the openness and purposes of the Green Belt;
 - whether or not the appeal site is a suitable location for the proposed development, having regard to the availability of sustainable modes of transport;
 - the effect of the proposed development on the character and appearance of the area;
 - whether or not the proposed development would deliver the mandatory biodiversity net gain; 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

3. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

4. The construction of new buildings should be regarded as inappropriate in the Green Belt, subject to a number of exceptions set out in paragraphs 154 and 155 of the Framework. Policy SP4 of the Central Bedfordshire Local Plan 2021 (CBLP) states that development proposals within the Green Belt will be assessed in accordance with government guidance. Accordingly, it is generally consistent with the Framework.
5. The appellant considers that the exception set out in paragraph 154 g) of the Framework is applicable. This provision allows the limited infilling or the partial or complete redevelopment of previously developed land (PDL), including a material change of use to residential or mixed use including residential, provided that they would not cause substantial harm to the openness of the Green Belt. The definition of PDL, as set out in Annex 2 of the Framework, includes land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it. It also includes land comprising large areas of fixed surface infrastructure, such as large areas of hardstanding which have been lawfully developed. However, PDL excludes land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.
6. The appeal site is located within a larger plot of land which includes an existing detached house. It is understood that a substantial area of disused hardstanding exists on the site, marking the former location of two large agricultural barns that were destroyed by fire. The appellant has indicated that the proposed chapel and its associated parking would be positioned within the footprint of these former buildings.
7. The submitted plans identify an area within the red line boundary described as “existing part hardstanding”. This appears to correspond with an area visible on the submitted aerial imagery which broadly aligns with the proposed location of the chapel and associated parking. However, while I acknowledge this demarcated location, there is no substantive evidence before me to demonstrate the precise siting, extent, or lawful status of the two former agricultural barns which previously occupied this area.
8. Furthermore, during my site visit, I observed that this part of the site was largely occupied by a range of items, including lorries, trailers, cranes mounted on vehicles, bricks, fencing, and other construction-related materials and waste. While parts of this area appeared to be loosely surfaced with gravel and showed some discolouration consistent with industrial activity, I observed only very limited areas of permanent hardstanding. Much of the stored material was situated on grassed land, and it was therefore unclear to what extent the area was comprised of fixed hardstanding as opposed to loose aggregate, sand, or other temporary ground coverings. On the basis of my observations, it is considered unlikely that the entirety of the land identified as the appeal site contains hardstanding. As such, I cannot be satisfied that the whole of the appeal site constitutes PDL.
9. Moreover, even if the land were to meet the criteria of having been previously developed, my observations indicate that any residual fixed surfacing has deteriorated over time and become assimilated into the surrounding landscape. In these circumstances, such remnants would not reasonably meet the definition of PDL for the purposes of the Framework. Accordingly, it is my judgement that the

proposal does not clearly fall within the exception set out in paragraph 154 g) of the Framework.

10. The Framework also states that the development of homes, commercial and other development within the Green Belt should not be regarded as inappropriate where the proposal meets all the criteria set out in paragraph 155 of the Framework. Criterion a. requires that the development utilises grey belt land and does not fundamentally undermine the purposes of the remaining Green Belt across the area of the plan. For the purposes of decision-making, grey belt land is defined as land in the Green Belt comprising PDL and/or any other land that, in either case, does not strongly contribute to any of the purposes (a), (b), or (d) set out in paragraph 143. It also excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.
11. I have found that the appeal site does not constitute PDL. Accordingly, I have considered whether the appeal site strongly contributes to the purposes set out in paragraph 143. These purposes are; a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; d) to preserve the setting and special character of historic towns. The appeal site is not located near any large built-up areas, is not close to any neighbouring towns and there is no evidence before me that the setting of any historic towns would be affected. There is no evidence before me to indicate that the proposed development engages any of the policies referred to in footnote 7, other than those which relate to the Green Belt. Based on these considerations, notwithstanding that it does not constitute PDL, I am satisfied that the appeal site meets the definition of grey belt land.
12. Turning to the second section of criterion a. as set out in paragraph 155, it must also be demonstrated that the development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. These purposes are set out in paragraph 143 of the Framework. As the effects on purposes a), b), and d) have been considered above, with no conflict identified, it is necessary only to assess purposes c) and e).
13. Purpose c) relates to safeguarding the countryside from encroachment. It is not disputed that the proposed development would introduce additional built form, thereby intensifying development in an area which has, at least in recent times, remained largely open. Nevertheless, this needs to be assessed in the context of the extent of the remaining Green Belt as a whole. Given the relatively limited scale of the site and its localised impact, any harm arising from encroachment would be minor. In this regard, the proposal would not fundamentally undermine purpose c).
14. Turning to purpose e), there is limited evidence before me to demonstrate that the appeal site would meaningfully contribute to the recycling of derelict or other urban land, particularly in light of the uncertainty surrounding the extent to which the site was previously occupied by agricultural buildings. However, given the modest scale of the proposal, its effect on wider regeneration objectives would likely be negligible. In this regard, the proposal would not fundamentally undermine purpose e).

15. Drawing these matters together, I am satisfied that criterion a. of paragraph 155 of the Framework would be met.
16. Criterion b. requires that there is a demonstrable unmet need for the type of development proposed, which in this case is for an Eastern Orthodox place of worship forming part of the Romanian Orthodox Archdiocese of Great Britain and Northern Ireland.
17. The evidence before me indicates that the congregation currently worships at a facility in Borehamwood which was designed to accommodate approximately 150 people. However, it has been submitted that the church regularly hosts between 250 and 300 attendees, resulting in significant overcrowding. As a consequence, worshippers are often required to stand in corridors or outside the building. Photographic evidence has been submitted illustrating the extent of this overcrowding. It is submitted that the limitations of the existing premises contribute to pastoral strain and restricts access to children's catechism sessions.
18. The proposed development would accommodate around 50 worshippers on a weekly basis, which would provide some relief to the Borehamwood facility and reduce travel-related fatigue and vehicle emissions for those individuals attending the appeal site. While health and safety concerns at the Borehamwood facility have been raised, it is unlikely that these would be fully mitigated by the proposal, given the relatively limited number of worshippers who could be diverted. Notably, the evidence before me indicates that the Borehamwood facility would remain significantly over capacity. Nonetheless, it indicates that there is a high level of unmet need.
19. I have considered letters of support for the proposed development have been submitted by members of the church. These representations appear to originate from approximately 35 separate households, primarily clustered within the Luton/Dunstable, Milton Keynes, and Leighton Buzzard areas. They state that the proposed development would benefit those who live in the area, reducing travel time, improving personal schedules and their overall quality of life.
20. The appellant has further explained that the specific needs of the congregation cannot be adequately met through alternative arrangements such as rented halls or temporary facilities without compromising sacramental life. Reference is made to the theological and liturgical requirement for a consecrated sacred space, including a church building oriented on an east-west axis and accommodating the Holy Altar, icons, and sanctuary. On this basis, the proposed development is not presented as a matter of convenience, but as a genuine theological and pastoral necessity. I acknowledge that there is limited sequential justification to explain why the proposed church should be constructed at this particular location, as opposed to alternative sites within built-up urban areas which may also be accessible to the congregation. There is also limited information before me regarding the availability of existing churches within the wider area that might already serve this community. Nevertheless, on the basis of the available evidence, I am satisfied that there is a demonstrable unmet need for the type of development proposed. The appeal site is reasonably proximate to the relevant population centres and would provide a localised facility that would alleviate, to some degree, pressure on existing places of worship.

21. Drawing these matters together, I am satisfied that criterion b. of paragraph 155 of the Framework would be met.
22. Criterion c. requires that the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework. Framework paragraph 110 indicates that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. It further recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making. Paragraph 115 seeks to ensure amongst other things, that sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location; safe and suitable access to the site can be achieved for all users; the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance; and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
23. The appeal site is located within the open countryside, outside any defined settlement boundary and at a considerable distance from the main population centres it is intended to serve. Although the site lies within approximately 300 metres of a bus stop serving routes X2 and X3, which provide a connection between Milton Keynes and Luton, there is no clear evidence before me to demonstrate that the timetable, frequency, or capacity of these services would align with church service times or adequately meet the likely demand generated by the proposal. Moreover, it is unlikely that worshippers travelling from other population centres would find this service a practical option.
24. In addition, there are no footways in the vicinity of the site, and access roads are rural lanes subject to 60mph speed limits. Such conditions would not encourage walking or cycling, particularly during winter months or during inclement weather. Additionally, even if bus services were available, it is unlikely that attendees would consider it safe or realistic to walk along these road verges to access the site. The nearest railway station is approximately 5 kilometres away, which would necessitate onward travel by other modes, further reducing the attractiveness of public transport options.
25. Taking these factors together, it is likely that future users of the church would be predominantly reliant on private motor vehicles to access the appeal site. Given that they could be present in significant numbers on a weekly basis, this would not align with the objectives of encouraging sustainable patterns of travel.
26. I recognise that the appellant has suggested that a degree of car sharing may occur, reflecting the fact that many attendees travel as family groups. In addition, the appellant has offered to provide a condition to secure a travel plan, which could secure the provision of a shuttle bus service to Leighton Buzzard railway station, and also the creation of a new pedestrian access within the site. However, details of these measures are limited, and there is no substantive evidence to demonstrate that they could be reliably delivered, sufficiently attractive, or widely used by future attendees. In the absence of such certainty, I afford these measures limited weight in addressing concerns regarding the site's accessibility and reliance on private car travel.

27. Drawing all of the above together, I conclude that the proposed development would be likely to result in a high reliance on the private car for day-to-day travel. While I recognise that opportunities for sustainable transport are inherently limited by the rural character of the area, the scale and regularity of the proposed use would nonetheless generate a notable number of vehicle movements. On the evidence before me, it has not been demonstrated that the development would avoid giving rise to significant impacts in terms of highway capacity, congestion, or road safety. Nor is there sufficient certainty that any such impacts could be adequately mitigated. Accordingly, I am not satisfied that the appeal site would represent a sufficiently sustainable location for the proposed development.
28. Drawing these matters together, I am not satisfied that criterion c. of paragraph 155 of the Framework would be met. It follows that the requirements of the exception set out in paragraph 155 of the Framework as a whole would not be complied with.
29. For these reasons, I conclude that the proposed development would not fall within any exception for development in the Framework and would constitute inappropriate development in the Green Belt.

Openness

30. 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 is not limited to - the spatial and visual aspects of the proposed 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.
31. The proposed development would introduce additional built form and activity into a site that is otherwise largely undeveloped in character. In spatial terms, the submitted plans indicate a building with a footprint of approximately 91 square metres and a ridge height of around 5.8 metres. This would be accompanied by provision for approximately 23 car parking spaces, with pedestrian circulation facilitated by permeable surfacing (grasscrete). Although the plans suggest that internal access from the highway to the car park would be available via an existing track, no such feature was evident during my site visit. It is therefore likely that the proposal would necessitate the construction of a new access track, together with the widening or upgrading of the existing site access point. This would have an adverse spatial effect on the openness of this part of the Green Belt.
32. In visual terms, the development would be prominent and clearly perceptible from the adjacent highway due to the open nature of the access point, the extent of the parking area, and the height of the building. This visual effect would cause harm to the openness of the Green Belt.
33. In reaching this view, I have considered the appellant's intent to locate the chapel in the location of the two former agricultural barns. However, there is limited evidence before me regarding the size, scale, or exact position of these former buildings, and it is therefore unclear to what extent the proposal would represent a reinstatement of any previously built form. Regardless, it is clear that these barns no longer exist, such that the proposal would inevitably result in a net increase in built development. While the visual impact could be partially mitigated by being

setback from the highway, the use of landscaping and vegetation for screening, materials intended to reference an agricultural vernacular, and the grasscrete parking surface, the development would nonetheless be readily perceived as a place of worship rather than a traditional agricultural building. This would be reinforced by the extent of the available parking provision and the regular movement of up to 23 vehicles accessing the site during services. As such, the proposal would diminish the openness of this part of the Green Belt.

34. Taken together, the scale of built development would cause harm both visually and spatially, to the openness of the Green Belt. It would not meet any other exception in the Framework. In this regard, it would fail to comply with Policy SP4 of the CBLP.

Location

35. Policy SP7 of the CBLP states that Settlement Envelopes provide a distinction between settlements and the countryside. Outside Settlement Envelopes, the Council will recognise the intrinsic character and beauty of the countryside and only particular types of development will be permitted. Planning permission will be granted where the site is, or can be made, accessible to nearby services and facilities by sustainable forms of transport. Notably, the supporting text for this policy identifies Stanbridge as being a small village in the Green Belt and as such, contains few services and facilities and is limited in the availability of public transport links.
36. It is common ground between the parties that the appeal site is located outside of any defined settlement envelope, with the nearest settlement being Stanbridge which is approximately 0.9km away. Accordingly, it follows that the appeal site lies within the open countryside and beyond any defined settlement envelope. There is limited evidence before me to demonstrate that the site could be made accessible to nearby services and facilities by sustainable modes of transport, particularly given the limited range of services available within Stanbridge itself. It also remains unclear to what extent the existing limited bus services would align with the timing and frequency of church services and associated activities. Although reference has been made to the potential use of a planning condition to secure a Travel Plan, which could include the collection of members of the congregation via a shuttle bus, the information provided lacks sufficient detail regarding routes, pick-up locations, frequency, and anticipated levels of take-up. As such, I cannot be satisfied that such a condition would be sufficiently precise or reasonable in all other respects.
37. As such, and as I have concluded in the section above, it is considered that future users of the development would be likely to be heavily reliant on private car travel. While I acknowledge that the proposal may reduce some longer journeys to other places of worship, this does not outweigh the inherent accessibility shortcomings of the appeal site. I also recognise that the appellant has reviewed four alternative sites within Stanbridge but were unable to proceed due to the cost of competing with residential land values. I have also considered that locating a chapel on land already owned by the serving priest would avoid the need for further land consumption.
38. Policy HQ3 of the CBLP states that proposals for new social and community facilities will be permitted where a need for the proposed facility has been

identified, and it can be demonstrated that no land is available within the Settlement Envelope. Notably, the policy does not make provision for financial viability or land cost as a determining factor. In this case, the appellant has confirmed that four alternative sites are available within the Settlement Envelope. In light of this, I cannot be satisfied that the requirements of Policy HQ3 have been met, insofar as the policy seeks to limit development in the countryside.

39. As such, these considerations do not overcome the fundamental issue that the appeal site cannot reasonably be regarded as a sustainable location for the proposed development.
40. In conclusion, the appeal site is not a suitable location for the proposed development, having regard to the availability of sustainable modes of transport. It would not be accessible by sustainable modes of transport, contrary to Policies SP7 and HQ1 of the CBLP. It has not been adequately demonstrated that alternative sites are unavailable within Stanbridge, contrary to Policy HQ3 of the CBLP.

Character and Appearance

41. The Council have confirmed that the appeal site is located within the Clay Vales landscape, which is characterised by intensive agricultural use, large scale open landscapes and field boundaries comprising of hedges and wire fencing. The Council describes the location of the proposed development as a large, open paddock with established hedgerows. While I observed a notable quantity of materials being stored on the site at the time of my visit, it appears that their removal would leave the land largely undeveloped. There is no evidence before me to indicate that planning permission has been granted for the storage of materials on the land. Consequently, the lawful use of the appeal site is consistent with the rural character of the area.
42. The proposed development would result in a substantial increase in built form through the construction of a chapel and an associated car park of approximately 23 spaces, which is likely to be fully utilised during religious services. While the chapel would be set back from Leighton Road and constructed using traditional materials intended to reflect the local rural vernacular, its form and design would remain unmistakably ecclesiastical. Furthermore, although the development would be partially screened by vegetation, the scale of the chapel would mean that it would remain visually prominent to users of the public highway. The use of grasscrete for the car park may reduce the visual impact when compared with a more conventional hard surfacing. However, this would not adequately mitigate the visual effect of this space regularly accommodating a large number of parked vehicles. Consequently, the appeal development would be readily apparent from the public domain such that it would have a significant influence on the immediate area. In this context, the proposal would appear incongruous within a landscape otherwise characterised by agricultural use and open countryside. As such, the development would have a harmful effect on the rural landscape character and would not be consistent with the distinct and established character of the area.
43. In reaching this view, I have considered that the average vehicle numbers attending the appeal site may be lower than those typically associated with other rural uses, such as wedding venues or sports clubs. Nevertheless, it is likely that such uses would similarly require planning permission, and it is considered that the

level of vehicular movements associated with the proposal would nonetheless result in a discernible erosion of the area's rural character.

44. In conclusion, the proposed development would have a harmful effect on the character and appearance of the area. It would have a detrimental impact on the built and natural environment and would fail to reflect the local character and distinctiveness, contrary to Policies SP7, EE5 and HQ1 of the CBLP.

Biodiversity

45. It is common ground between the parties that a hedgerow along Leighton Road was previously removed since 2020 without consent. Although retrospective planning permission (CB/23/03827/FULL) for the removal of the hedge has been granted, the Council considers that its exclusion from the initial Biodiversity Net Gain (BNG) metrics mean that the proposed development fails to demonstrate the mandatory 10% gain.
46. In response, at the appeal stage, the appellant's Biodiversity Net Gain Assessment Report explains that the previously removed hedgerow has been included within the plans. It states that the scheme would deliver on-site biodiversity enhancements through the creation of a vegetated garden area, the enhancement of areas of neutral grassland, and the planting of approximately 8 metres of native hedgerow around the chapel site. Taken together, it states that these measures would achieve the requisite 10% biodiversity net gain on site. There is no substantive evidence before me to demonstrate that it would fail to do so. Notably, the Council has suggested that any habitat enhancements could be secured through the use of a Habitat Maintenance and Monitoring Plan planning condition. Accordingly, I find no conflict with national policy requirements for BNG.
47. In conclusion, the proposed development would deliver the mandatory biodiversity net gain. As such, it would deliver a net gain in biodiversity in compliance with Policy EE2 of the CBLP and would comply with the requirements of Schedule 7A of the Town and Country Planning Act 1990.

Other Considerations

48. The proposed development would provide a new dedicated local place of worship to serve the needs of the congregation, delivering a tangible benefit to that community. In doing so, it would likely reduce travel distances and journey times for those worshippers who currently attend services elsewhere, thereby improving accessibility and convenience. It would also help to alleviate overcrowding issues at existing places of worship, contributing to a more balanced distribution of community facilities. The appellant also states that the proposed development would deliver a range of social and charitable benefits. These include providing support for vulnerable families, facilitating visits to the elderly and the hospitalised, delivering mentoring opportunities for youth members, supporting the integration of immigrant families and building neighbourly ties with local residents. Taken together, these activities indicate that the proposed development has the potential to contribute positively to social cohesion and to the effective functioning of this religious community. While the extent of delivery of such benefits would depend on future operation, they are consistent with the wider community role typically fulfilled by places of worship. Notably, it would also be a more convenient location for the senior priest, given that they already live on site. Accordingly, I attach significant weight to these considerations in favour of the proposal.

49. The proposed parking area would incorporate permeable grasscrete surfacing. While the use of such surfacing has the potential to offer environmental benefits, including increased water infiltration and a reduction in surface water runoff, I did not observe any significant areas of existing impermeable hardstanding in the relevant location. As such, I am not persuaded that the introduction of permeable surfacing in this instance would result in a meaningful or demonstrable betterment when compared with the existing conditions. Furthermore, there is very limited evidence before me to demonstrate that the proposed development would be located wholly within the footprint of the former barns, such that it would clearly represent an effective improvement. While the proposal may result in the removal of stored waste materials and equipment presently occupying the site, this is a matter which is already within the appellant's control and could be undertaken irrespective of whether planning permission is granted. Accordingly, I afford these considerations limited weight.
50. The construction phase of the development would generate a limited level of short-term employment, which the appellant estimates would equate to approximately four full-time equivalent jobs during the build period. Once operational, the proposal is expected to support around three full-time equivalent positions associated with site maintenance and administrative functions. In addition, it is possible that members of the congregation may make use of nearby hospitality businesses following religious services, which could result in some minor indirect benefits to the local economy. The relocation of the chapel could also reduce financial overheads and enable more funds to be spent on charitable activities. Given the scale of the development, I afford these considerations modest weight in favour of the proposal.

Other Matters

51. As the existing farmhouse is owned and occupied by the church, it is unlikely that the proposed development would give rise to any unacceptable effects on the living conditions of its occupants. In addition, neighbouring residential properties are located at distances of approximately 90 metres or more from the appeal site. Having regard to this separation distance and the nature of the proposal, I am not persuaded that the development would result in any unacceptable impact on the privacy, outlook, or levels of natural light enjoyed by nearby residents.
52. The appeal site lies within Flood Zone 1, where the risk of flooding is low. The Council has raised no objections to the proposal on flood risk or drainage grounds, and there is nothing before me to indicate that the development would be at an unacceptable risk from flooding or would exacerbate flood risk elsewhere. I therefore have no reason to disagree with the Council's assessment.
53. As the proposal does not involve the creation of new residential development, it is unlikely to result in increased recreational pressure on the Chiltern Beechwoods Special Area of Conservation. Furthermore, the appellant has indicated that external lighting would be low-level and bat-sensitive, with the intention of minimising impacts on local biodiversity. The Council has determined that the proposal does not constitute EIA development and that an Environmental Impact Assessment is not required. Based on the evidence before me, I see no reason to disagree with this assessment.

54. Interested parties have raised concerns regarding the appellant's approach to planning control, referring to previous unauthorised works at the site, including the removal of hedgerows and the construction of a new access point. While retrospective permission has since been granted, it is understood that certain conditions attached to that consent have yet to be discharged, giving rise to uncertainty as to whether that permission has been lawfully implemented. However, these matters were not relied upon by the Council in its decision notice. As I have identified harm on other grounds, it has not been necessary to go into further detail on this point.

Green Belt Balance

55. I have concluded that the proposed development 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.
56. 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 the development of places of worship, as outlined in paragraph 88 of the Framework. Furthermore, paragraph 96 states that planning decisions should aim to achieve healthy, inclusive and safe places which enable and supports healthy lives. The other considerations advanced, including environmental benefits and economic development, collectively attract limited to modest weight. As such, significant weight is attached to the overall benefits of the scheme.
57. Nonetheless, the Government attaches great importance to protecting the Green Belt and these identified benefits would 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

58. In addition to this harm to the Green Belt from the building, car park and access track, I have identified further harm to the sustainability of the location and the effect on the character and appearance of the area. This adds further weight against the proposal in the overall planning balance. The combined harm, and the resulting conflicts with the development plan and national policy, carry substantial weight against the scheme and are not outweighed by the identified benefits, which attract significant weight overall.
59. 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 religion or belief. 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.
60. I acknowledge the negative impacts of dismissing the appeal, particularly given that the proposed chapel would be specifically designed to serve the religious

services and teaching requirements of this specific Eastern Orthodox faith community. A refusal would require this group to resume its search for new premises, notwithstanding they could continue to use their existing church in Borehamwood. 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.

61. I have considered the appellants' circumstances in the context of Article 9 of the Human Rights Act 1998, which protects the right to freedom of thought, belief and religion. I recognise that the dismissal of the appeal may have implications for the ability of the congregation to meet its religious needs. However, Article 9 is a qualified right, and interference may be justified where it is lawful, necessary and proportionate in order to protect public interests. 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. I am satisfied that those objectives could not be achieved by measures that would result in a lesser degree of interference with the community's freedom of religion. Accordingly, the outcome does not amount to a violation of Article 9.

Conclusion

62. The proposal conflicts 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.

S Lo

INSPECTOR