



Appeal Decision

Site visit made on 24 August 2026

by Robin Buchanan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04th September 2026

Appeal Ref: APP/N0410/C/24/3349251

Land to the rear of Maple Cottage, Billet Lane, Iver, Buckinghamshire SL3 6DJ

- The appeal is made under section 174 of the Town and Country Planning Act 1990, as amended (the Act).
 - The appeal is made by Mr Kuldeep Malhi against an enforcement notice issued by Buckinghamshire Council.
 - The notice was issued on 19 June 2024.
 - The breach of planning control as alleged in the notice is *'Without planning permission, the material change of use of the Land to a mixed use (sui generis) comprising of a caravan site for residential purposes by virtue of the stationing of caravans and the use of the Land for vehicle repairs and to facilitate the unauthorised mixed use the undertaking of operational development comprising the laying of hardstanding'*.
 - The requirements of the notice are to:
 1. Cease the use of the Land for the stationing of caravans and vehicle repairs;
 2. Remove all caravans (including mobile homes), used in association with the unauthorised use of the Land, any associated bases, skirts or screens and other domestic paraphernalia from the Land;
 3. Rip up and remove the hardstanding (shown in the approximate position marked hatched on the attached plan) from the Land;
 4. Remove all items brought onto the Land in connection with the unauthorised use, from the Land, including but not limited to vehicles, vehicle parts, tyres, machines and equipment.
 5. Seed the Land with grass seed (in the approximate location shown stippled on the attached plan);
 6. Remove all materials and debris resulting from complying with Steps 1 - 4 of this Notice from the Land.
 - The period for compliance with the requirements is: nine months.
 - The appeal proceeds on the grounds set out in section 174(2)(a) and (g) of the Act. 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.
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Summary Decision

1. The appeal is dismissed. The enforcement notice is corrected, then upheld and planning permission is refused.

Preliminary Matters

2. After the notice was issued, the main parties had an opportunity to comment on the National Planning Policy Framework published in December 2024 (amended in February 2025) and the National Planning Policy Framework published in August 2026 (the NPPF).
3. At my request, the Council provided its relevant, most recent March 2026 *Five-Year Housing Land Supply Position Statement*, which I have also taken into account.

Enforcement Notice

4. It is important that the notice is in order. In requirement 5, the notice plan does not contain stippling so it is not explicit where grass seed needs to be applied. There is no dispute that the Land was a field with a building. Nor that the Council intends the steps to be taken to do no more than restore the land to its condition before the breach of planning control took place. I shall, therefore, correct requirement 5 accordingly and am satisfied that this would not cause injustice to any party.

Ground (a)

Background and Main Issues

5. The deemed application for planning permission is for the matters specified in the alleged breach of planning control in the notice, as set out in the 4th bullet point in the banner heading above. The vehicle repairs use occupies a smaller part (one end) of the Land and is a distinctly different use to the residential caravan site, which occupies the rest; both are facilitated by the hardstanding. This development could be severable into each discrete part, so I am able to consider a split decision in these terms under section 177(1) and (5) of the Act.
6. The appellant does not dispute that the residential caravan site and the vehicle repairs use are inappropriate development in the Green Belt. Consequently, the main issues are:
- whether the hardstanding is inappropriate development in the Green Belt, including its effect on the openness and purposes of the Green Belt, having regard to the development plan and the NPPF;
 - whether the residential caravan site and vehicle repairs use are in a sustainable transport location;
 - whether the south visibility splay at the vehicular access onto Billet Lane is satisfactory;
 - the effect of the residential caravan site, vehicle repairs use and hardstanding on the character and appearance of the area, including the Shreding Green to Langley Local Gap; and
 - whether other considerations clearly outweigh any harm to the Green Belt and any other harm, so as to amount to very special circumstances.

Inappropriate development, openness and purposes

7. The main parties agree that the hardstanding is development by engineering operations. I have no reason to find otherwise.
8. Policy GB1 of the South Bucks District Local Plan, adopted March 1999 and consolidated September 2007 and February 2011 (the LP), remains broadly consistent with the Government's objective for the Green Belt set out in NPPF chapter 13 to prevent urban sprawl by keeping land permanently open. While the LP does not explicitly recognise the scope for development by engineering operations to be not inappropriate in the Green Belt, policy GB1(g) permits essential facilities in connection with uses of land where they do not compromise the purposes of including land in the Green Belt and permanently retain its open

and undeveloped character. Engineering operations are a category of development that is potentially not inappropriate development in the Green Belt in NPPF policy GB7(1)(f)(i).

9. I saw that the hardstanding appears to be compacted road planings (scalpings) spread over a large, central surface area of what was part of a predominantly undeveloped field. Albeit at ground level, with no significant above ground scale or massing, this innate change to important visual and physical features of this part of the Land means it is no longer open in an equivalent sense to a natural field, with little evidence that it was not intended to be permanent. Even if it was essential for a residential caravan site or a vehicle repairs use, there is little evidence that the impact of the hardstanding on the openness of this part of the Green Belt (thus Green Belt overall) has been minimised by its size or overtly urban built form. Nor does it assist in safeguarding the countryside from this encroachment, in significant conflict with this purpose of the Green Belt set out in NPPF policy GB2(1)(c).
10. For these reasons the hardstanding is not within LP policy GB1(g) or the category set out in NPPF policy GB7(1)(f)(i). The appellant has not advanced another category or disputed others that the Council considers might apply but are not met. Consequently, having regard to NPPF policy GB6(1) the hardstanding is also inappropriate development in the Green Belt.

Location and transport

11. There is little evidence that the Land is in or next to a settlement, including as defined by the NPPF. The main B470 Langley Park Road, to the south, has pavements in both directions, some street lighting and nearby bus stops, including services to Shreding Green and Iver in one direction and Langley and a train station in the other. The timetables I saw displayed showed a reasonably good frequency, though it is not clear what other facilities or services are at these villages or other locations on these routes. I saw no convenient central refuges for pedestrians to cross this busy main road (subject to 60mph at one bus stop and 40mph at the other) and there were no seats or shelters. This makes the use of buses less attractive.
12. In any event, the Land is connected to the B470 by Billet Lane then Trenches Lane over a significant distance. Though flat, both lanes are narrow, partly single-track, have blind bends and lack street lighting, pavements or useable refuges for pedestrians. Despite these characteristics, there is little objective evidence that vehicle speeds are uniformly low given the available 60mph speed limit. In these circumstances, the lanes are not safe to walk or cycle along, so not conducive for the amount of movement occupiers of the eleven residential caravans I saw on the Land likely need to make to meet normal daily living needs, which is significant for this reason alone. Nor for visitors to the vehicle repairs use (such as to collect a vehicle) even if, as it appeared, it is a relatively small-scale activity.
13. Private cars are therefore likely to be the main means of transport to and from the Land in this remote rural area, with unacceptable impact on highway safety for all road users. Consequently, the residential caravan site and vehicle repairs use are not in a sustainable transport location, contrary to policies 7 and 10 of the Council's Core Strategy, February 2011. They include that development should support more sustainable modes of transport (i.e. be safe and accessible by public transport, walking or cycling), especially in rural parts of the District.

Visibility splay

14. There is little evidence that the residential caravan site and vehicle repairs use generate substantial traffic movements or have significant or severe adverse capacity or congestion impacts on the local transport network. Nevertheless, although it is not clear to what extent, there is no dispute that the south visibility splay required by the Council at the vehicular access onto Billet Lane cannot be achieved on land within the appellant's ownership or control. I saw that views in this direction were at that instant reasonable but this cannot be guaranteed in the future. There is also little to justify that the speed of passing vehicles is naturally mitigated by driver behaviour in response to the characteristics of Billet Lane outlined earlier. These are, anyway, not matters within the control of the appellant nor can they be subject to a planning condition.
15. There is little evidence that the scope for conflict between all road users has been minimised or that there is not an unacceptable impact on highway safety. Consequently, the south visibility splay at the vehicular access onto Billet Lane is not satisfactory, contrary to LP saved policy TR5. It includes that development which generates additional traffic should comply with the standards of the Highway Authority having regard to its effect on safety. The Council also found conflict with saved LP policy TR10 but it relates to development likely to generate heavy goods vehicle trips with little evidence it is relevant.

Character and appearance, including Local Gap

16. The Land is next to some scattered houses and sporadic commercial buildings, including some hardstanding. Even if all of this development is lawful, it is located in an otherwise largely secluded and undeveloped part of the countryside where the landscape and rural activity prevails. The mere existence of this other development therefore does not in itself justify the loss of the field or the location of the residential caravan site, vehicle repairs use and hardstanding on the Land.
17. The residential caravans are large, single unit mobile homes similar in design. Most have been consolidated with fixed skirts or extensions and sit within gravel garden plots with fencing and parking areas. They are reasonably closely spaced to each other and stretch across most of the Land, so cover a large area with significant individual and collective visual and spatial presence. There is little evidence that this tight-knit cluster of residential development is compatible in type or layout with residential properties in the area.
18. The vehicle repairs use includes an extended building used as a workshop. Part of this structure is immune from enforcement action, but not any of its use for vehicle repairs. I saw several broken down or damaged vehicles stored haphazardly or being worked on near it, as well as numerous parts strewn across this part of the Land, largely in the open. While on a smaller part of the Land, this use and activity is unsightly and jars in such close proximity to the residential caravans.
19. The hardstanding is an unsympathetic adjunct to this development for the reasons outlined earlier.
20. The residential caravan site, vehicle repairs use and hardstanding do not line the B470 road corridor, which amongst other things links Shreding Green to Langley. However, this is not the only function of the Shreding Green to Langley Local Gap. It covers a much larger swathe of mainly undeveloped countryside extending

perpendicular either side of the B470, including the Land. This buffer is a strong, well-defined means to prevent any part of these two villages merging toward or into one another and maintain their separate identities by ensuring development is appropriate in location and design. There is little evidence that either parameter is met in this case. Albeit in a small part of it, the residential caravan site, vehicle repairs use and hardstanding unduly erode and undermine the holistic purpose of the Local Gap.

21. The Land is largely out of public view and away from any streetscene, screened by trees and hedgerow. However, landscaping does not justify the fundamentally inappropriate development that has occurred on the Land or overcome significant unacceptable change to the character and appearance of the area, including the Local Gap.
22. The residential caravan site, vehicle repairs use and hardstanding thus result in a discordant, urbanising form and pattern of domestic and commercial development that is incongruous and out of keeping in this part of the countryside. Consequently, it has a significant adverse impact on the character and appearance of the area, including the Local Gap, contrary to LP policy EP3 and policy IV1 of the Ivers Neighbourhood Plan, October 2022. They include that development should be compatible in scale, layout, siting, design, form, materials and use to the site and locality and prevent visual coalescence of settlements in a Local Gap.

Other considerations

23. I am satisfied that other planning conditions could not overcome the harm identified in the main issues above or otherwise make the residential caravan site, vehicle repairs use or hardstanding acceptable.
24. The Council accepts it cannot currently demonstrate a 5-year supply of deliverable housing sites in this part of its area, at 0.97 years and a deficit of over 2,700 dwellings. I agree with the appellant that this is a severe shortfall. As required by the NPPF, I give substantial weight to the benefits of providing homes which contribute towards meeting this evidenced accommodation need. But eleven caravans make a modest contribution in this respect, so this consideration has moderate weight in support of the appeal.
25. The Council agrees the vehicle repairs use is a small-scale employment generating business, though I have not been informed it accords with a specific development plan policy in this regard. The NPPF requires that I give substantial weight to the economic benefits of commercial development and support the sustainable growth of businesses in rural areas. But such benefits are not clear in this case, this business is not sustainable in transport terms and there is little evidence it supports the Council's economic vision or strategy for the area. Nor has it been suggested there is a demonstrable unmet need for it, that it must be located in the countryside outside of a settlement (and in the Green Belt) or that it uses previously developed land and it is not appropriate in siting or design having regard to the character of its surroundings. In these circumstances, this consideration has little weight in support of the appeal.
26. People live in the residential caravans, including children. I accept that the appeal outcome could interfere with private rights to their family life, home and

possessions¹. I have also had due regard to the age protected characteristics in this case for the purposes of the Public Sector Equality Duty, including the need to eliminate discrimination and advance equal opportunity². There is, though, little evidence that anyone would be made permanently homeless or could not live elsewhere, including as a reasonable adjustment. Nor that the best interests of any child would be significantly adversely impacted. Qualified rights, such as these personal circumstances, can be infringed by a decision under planning legislation where, as in this case, it is justified to safeguard the wider public interest given the harm the unauthorised development has caused. Consequently, while I am sympathetic to these considerations they have limited weight in support of the appeal and am satisfied that upholding the notice would be a proportionate outcome.

27. The residential caravan site, vehicle repairs use and hardstanding are outside a settlement, where NPPF policy S3(1)(b) means that NPPF policy S5 should ordinarily apply. There is little evidence that any of the forms of development in policy S5(1)(a)-(j) are met. But, in any event, an effect of policy S5(5) is that policy S5 does not apply to inappropriate development in the Green Belt, so the presumption in favour of sustainable development (tilted balance) in policy S3(1)(b) is not engaged.

Green Belt balance

28. NPPF policy GB6(2) confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Moreover, these will not exist unless the harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.
29. In making this assessment, NPPF policy GB6(2) requires that I give substantial weight to the harm to the Green Belt which has been caused, including harm to its openness. The residential caravan site and vehicle repairs use, facilitated by the hardstanding, are not in a sustainable transport location, a visibility splay is not satisfactory and there is unacceptable change to the character and appearance of the area, including a Local Gap. The harm arising due to each of these considerations adds further significant weight against the appeal.
30. The other considerations do not, therefore, individually or collectively clearly outweigh the totality of the Green Belt harm. Accordingly, the very special circumstances necessary to justify the residential caravan site, vehicle repairs use and hardstanding do not exist. Consequently, this development conflicts with the relevant LP and NPPF policies for the Green Belt outlined earlier.

Planning balance and conclusion

31. There are no other considerations to indicate that ground (a) should be determined otherwise than in accordance with the development plan taken as a whole³. Consequently, for the reasons given above, the material change of use of the Land to a mixed use as a residential caravan site and vehicle repairs use, facilitated by the hardstanding, is unacceptable and planning permission should not

¹ Article 8 of the Human Rights Act 1998 (as amended), Article 1 of the First Protocol, United Nations Convention on the Rights of the Child and European Convention on Human Rights.

² Equality Act 2010 (as amended)

³ Section 38(6) – Planning and Compulsory Purchase Act 2004, as amended

be granted for it. In these circumstances a split decision is not justified. Accordingly, ground (a) fails.

Ground (g)

32. For ground (g) to succeed, the appellant must demonstrate that the nine month period specified in the notice to take the steps required by it falls short of what should be reasonably allowed.
33. I have not been informed who owns or is responsible for the residential caravans or the vehicles being repaired. Nevertheless, while the compliance works differ for the residential caravan site, vehicle repair use and hardstanding, and some must be completed sequentially, they are all relatively straightforward. There is no apparent reason why the appellant could not find a suitable contractor(s) early on in the nine month period and the works be scheduled for completion by then.
34. I appreciate that the people living in the residential caravans would need to look in earnest for an alternative place to live after the outcome of the appeal and that these circumstances may not be of their own doing. But there is little evidence that it would be unusually difficult or need an inordinate amount of time for them to find somewhere else to live, including in the same residential caravans elsewhere, even if only temporarily while more permanent arrangements were made.
35. In these circumstances, there is no apparent justification for the additional fifteen months the appellant seeks (two years in total). This disproportionate extension of time would be tantamount to granting an unwarranted temporary planning permission and unduly perpetuate the harm caused by the breach of planning control. I am also mindful that the Council has discretion under section 173A(1)(b) of the Act to extend the period for compliance. However, that would be a separate matter for the Council.
36. Consequently, on the evidence before me, the nine month period in the notice to take the steps required by it does not fall short of what should reasonably be allowed. For these reasons ground (g) does not succeed.

Overall Conclusion

37. Grounds (a) and (g) both fail, so the appeal does not succeed.

Formal Decision

38. It is directed that the enforcement notice is corrected as follows:
- Delete the wording of requirement 5 and replace with '*Restore the Land to its condition before the breach of planning control took place, including by grass seeding*'.
39. Subject to this correction, the appeal is dismissed and the enforcement notice is upheld. Planning permission is also refused on the application deemed to have been made under section 177(5) of the Act.

Robin Buchanan

INSPECTOR