

How to use the Inspector Training Manual

The Inspector Training Manual provides practical advice to new Inspectors and serves as a source of continuing professional development for existing Inspectors.

This training material does not constitute Government policy or guidance; nor does it seek to interpret Government policy. In addressing policy issues, you will be expected to have regard to the most up-to-date policy and guidance produced by the relevant Government department. In the event that there appears to be a discrepancy between this material and national policy / guidance, any national policy and guidance will be conclusive.

The Inspector Training Manual is made up of 'living documents'. Please always ensure that you are referring to the most up-to-date version.

116 It may be argued that private residential gardens of properties in the countryside can constitute previously developed land because the definition in Annex 2 to the Framework only excludes such land 'in built-up areas'. You need to consider:

- that residential gardens which are not in 'built-up areas' are not excluded from the general definition of previously developed land (as held in *Dartford BC v SSCLG* [2017] EWCA Civ 141);
- that 'built-up areas' are not themselves defined so you will have to come to a view as to whether the site in question is within a 'built-up area'; and
- if it is not, you will have to decide whether it falls within the general definition of previously developed land in the context of the particular circumstances you are considering.