
Appeal Decision

Site visit made on 22 November 2016

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 December 2016

Appeal Ref: APP/V1505/W/16/3153301

Land adjacent to Claygate, Enfield Road, Wickford, Essex SS11 8SD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs G Darby against the decision of Basildon Borough Council.
 - The application Ref 16/00120/FULL, dated 1 January 2016 was refused by notice dated 29 April 2016.
 - The development proposed is the construction of one dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The site is within the Green Belt and so the main issues are:
 - Whether the proposal would be inappropriate development for the purposes of the National Planning Policy Framework (the Framework);
 - If the proposal is inappropriate development, whether the harm caused 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 it.

Reasons

Whether Inappropriate Development

3. The National Planning Policy Framework (the Framework) establishes that new buildings are inappropriate in the Green Belt, unless they fall within exceptions detailed in paragraphs 89 or 90 of the Framework.
 4. One exception is the limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan. By reason of the nature of the proposal, the affordable housing element of this exception is not applicable. The proposal is infilling but the plot is located in an isolated pocket of residential development which is accessed off a main road leading into Wickford. Such a pattern and location of development would not amount to a village and nor is the built-up area surrounding the appeal site referred to as a village.
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5. Another exception is limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than existing development.
6. In terms of openness, this is an essential characteristic of the Green Belt which is commonly taken to mean the absence of built or otherwise urbanising form. There are structures on the site and compared to them, the bungalow would represent an increase in development volume given its footprint and height. The appellant has accepted that there would be a greater impact on openness arising from this development. Although small, such a loss of openness would conflict with a purpose of the Green Belt under the Framework which states a fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. In summary, there would be a loss of openness and conflict with a purpose of the Green Belt.
7. Accordingly, no exception would apply and the proposal would be inappropriate development which is by definition, harmful to the Green Belt.

Other considerations

8. The Plotland Study 2015 sets out the potential for future residential development with the Wickland Lawns, Shotgate Plotland Infill Area where the appeal site is located. Under the emerging Local Plan (LP) 2014-2034, Policy GB3 states limited residential development will be permitted within Plotland Infill Areas where it is appropriate in scale and setting, preserves the character of the Plotland settlement and the openness of the Green Belt. The policy is part of the Council's strategy to provide further housing in accessible locations to services and facilities.
9. The direction of the policy over time points to the Council's aim to focussing development in plotland areas, especially those accessible to services and facilities such as that covering the appeal site. However, the LP is still at early stage of preparation with the plan not yet having being subject to examination, and adoption not due to early 2018. For these reasons, I am not in a position to assess whether there have been or will be any significant objections to the policy. For these reasons, the policy could change and I can only give the emerging policy limited weight.
10. There is no five year housing land supply and a single dwelling would contribute to this deficient supply. Nevertheless, the proposal is for a single dwelling only and therefore only limited weight can be attached to this. It has been indicated that the Council has had a deficient supply for some time and there has been no adopted Local Plan since 1998 resulting in a failure of policy. Nevertheless, I have already commented upon housing supply to which this consideration relates and accordingly, I attach little weight to this consideration.
11. The appeal site has been previously developed. Environmentally, this is argued that this would be better than alternative sites within the Green Belt or a non-Green Belt, which have not been previously developed. However, no specific sites under these scenarios were put forward to demonstrate this benefit. In any case, a comparison may be difficult as every site has to be considered on

its particular planning merits. For these reasons, little weight is attached to this consideration.

12. The appeal site is reasonably sustainable in terms of accessibility to services and facilities for the occupiers of the new dwelling in that there is a nearby bus for services to Wickford and other nearby settlements. Nevertheless, only one dwelling is proposed and for this reason, I attach small weight to this consideration. It would provide a high quality external living environment by reason of the provision of private outdoor space which exceeds required policy standards. Similarly, I attach small weight to this by reason of the scale of the development.
13. The proposed dwelling would have sufficient space about the plot to accommodate the bungalow and ensure adequate separation with the dwelling at Claygate. It would be in keeping with the pattern of development in the area and would not adversely harm the character and appearance of the area. However the absence of harm is not a positive factor to be put in the balance as this is something to be expected of all schemes.
14. There are three dimensions to sustainable development under the Framework. Some economic benefits would arise from dwelling construction and residents footfall to shops, services and facilities. Socially, the dwelling would add to the mix of housing in the area, aid social cohesion and community integration and contribute to the viability of community facilities. The dwelling would provide a well-designed living environment, with reasonable accessibility to services and facilities, and resultant reduction in harmful greenhouse emissions. However, this must be offset by the extent to which, with regard to the Green Belt, it would fail to perform a wider environmental role and so, to that extent, I can attach negligible weight to sustainability considerations.

Conclusion

15. The proposal would be inappropriate development in the Green Belt which is by definition harmful. Although this loss in openness is small, it is nevertheless harmful. The Framework establishes substantial weight should be given to any harm to the Green Belt.
16. Balanced against this, the emerging LP policy would encourage development on the appeal site and the proposal would provide a dwelling to boost housing supply. The proposal would make effective use of land and there are some benefits arising from the dwelling's location in terms of accessibility to services and facilities and the provision of private outdoor space. It would also provide a dwelling contributing to housing land supply. Nevertheless, for the reasons indicated, I can only give limited or small weight to these matters.
17. In balancing the totality of harm against the combined weight of other considerations, the benefits and weight to be attached to them is reduced by the proposal being only for a single dwelling. Accordingly, the absence of other harm and the benefits identified fail to outweigh the harm to the Green Belt. Consequently, very special circumstances needed to justify the proposal do not exist.
18. In conclusion, the proposal would conflict with saved Policy BAS GB1 of the Basildon District Local Plan Saved Policies 2007 for these reasons, which states that the boundaries of the Green Belt are drawn with reference to the foreseen

long term expansion of the built up areas acceptable in the context of the stated purposes of the Green Belt.

19. For the reasons given above and having regard to all other matters raised, including support, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR