



Appeal Decision

Site visit made on 8 January 2018

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th January 2018

Appeal Ref: APP/W1525/W/17/3181896

130 Runwell Road, Runwell, Wickford SS11 7PS

- 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 Danny Rick against the decision of Chelmsford City Council.
 - The application Ref 17/00537/FUL, dated 21 March 2017, was refused by notice dated 2 June 2017.
 - The development proposed is described as the new build of a detached 5 bedroom property and double garage.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The Chelmsford Core Strategy and Development Control Policies DPD was adopted in 2008. Following the publication of the National Planning Policy Framework ('Framework') it was subject to a focused review, and was examined by an Inspector in July 2013. That review was found to be sound, and the Plan was adopted in December 2013. I have therefore considered the proposal against the policies in the 2013 document, which I refer to as the 'CCS'.
3. The Council's second reason for refusal stated that the application did not adequately address whether protected species are present on the site, or would be adversely affected by the proposal. However, as part of the appeal, the appellant submitted a Preliminary Ecological Appraisal prepared by Essex Ecology Services Limited. In its statement the Council indicates that the appraisal clearly demonstrates that the proposal would not cause significant harm to biodiversity, and that it would accord with CCS Policy DC13. As I have no reason to believe that protected species would be adversely affected by the proposal, I agree with the Council that its second reason for refusal has been addressed, and I do not consider this matter any further.

Main Issues

4. 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 and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt;

- The effect of the proposal on the character and appearance of the area; and
- If the proposal is inappropriate, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, such as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether or not inappropriate development in the Green Belt

5. The Framework sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. At paragraph 89 it regards the construction of new buildings as inappropriate unless, amongst other things, it is limited infilling in villages.
6. CCS Policy DC1 sets out that, in line with the Framework, the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. However, it continues that residential infilling in villages will be acceptable where it is in accordance with Policy DC12. That policy states that permission will be given for residential infilling on sites outside of the urban areas or defined settlements provided that the site is a small gap in an otherwise built up frontage, and that the development satisfies two additional criteria. The reasoned justification goes on to state that a gap is normally regarded as 'small' if it is capable of accommodating no more than one property, although in assessing the number of properties that could be accommodated regard will be had to the character and context of development in the immediate area.
7. Consequently, although the Framework does not define limited infilling, these two CCS policies are consistent with its approach, and I give them substantial weight in my decision.
8. The Council states that, although the site is not within a defined settlement, it is within a 'village' for the purposes of the Framework and the development plan. Given its context with nearby residential and commercial uses which are spread out along either side of this stretch of Runwell Road and adjacent roads, I agree.
9. Whilst there are some rows of dwellings in the village such as on Browns Avenue, the development pattern in the area is fairly sporadic. On the southern side of Runwell Road there is a field beyond Barnet Park Road to the south-west of No. 130. The appeal site forms part of a substantial gap between that building and the bungalow at Sunbeam. There is then a narrower gap to the pair of properties at Nos. 9 and 11, with a field beyond the junction with Browns Avenue. Although some of the plots on the opposite side of Runwell Road have wide frontages, the main buildings typically take up a small proportion of the frontage, and are often set well back from the road. There are generally substantial gaps between the buildings.
10. Given the very sporadic pattern of nearby development, and the size of the gap between the adjacent buildings here, the site does not fall within a built up frontage. Having regard to the site dimension comparisons on drawing no. 9635/010, it has a frontage of around 33 metres. Whilst that is significantly less than the 53 metres claimed by the Council, it is nonetheless wider than the

frontage of the properties in the loose row on this side of Runwell Road. Having regard to the width of those other plots, this site would be capable of accommodating more than a single property.

11. The appellant has drawn my attention to other permitted dwellings in the Green Belt. I have very few details of the new chalet style dwellings referred to on South Hanningfield Way, or the residential development at Runwell Hospital. However, compared to this scheme, the new dwelling between 108 and 110 Runwell Road is sited in a much more intensely developed area with a clearly built up frontage. With regards the new dwelling on land adjacent to Willsbrook, Runwell Road, I understand from the officer report at Appendix CCC3 of the Council's statement that it had a 27 metre wide frontage and a slightly developed appearance due to the presence of single storey outbuildings. Consequently there are material differences between those examples and this proposal.
12. Summing up, for the above reasons, whilst the appeal site is within a village, the proposal would not constitute limited infilling of a small gap in an otherwise built up frontage. It would be inappropriate development in the Green Belt, and in conflict with CCS Policies DC1 and DC12, and the Framework.

The effect on the openness of the Green Belt

13. The appeal site currently forms a vacant area of land, which is mainly devoid of outbuildings or structures. As a result of this proposal there would be a one-and-a-half storey dwelling across much of its width, together with a double garage to the front, along with areas of hardstanding. Notwithstanding the retained hedgerow along the site's frontage and its north-eastern boundary, the development would be visible from Runwell Road.
14. Although the scheme would make use of an existing access, given the buildings' substantial footprint and bulk, it would have a significant harmful impact on the Green Belt's openness. In so doing, it would conflict with the fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open, and with one of its purposes of safeguarding the countryside from encroachment. On this issue, the scheme would therefore also conflict with the Framework, and with CCS Policies DC1 and DC12.

The character and appearance of the area

15. I have found that along this part of Runwell Road there are often substantial gaps between the buildings, thus giving the area a fairly spacious character. As a result of this scheme, much of the wide undeveloped gap between No. 130 and Sunbeam would be occupied by buildings. Those buildings would be visible in the streetscene above and to the side of the frontage hedgerow.
16. The dwelling would sit on a large, landscaped plot, with a pond. Its form, style, height and detailing would not appear out of keeping with the varied design of nearby buildings. Nevertheless, in consolidating the built form in the streetscene, the scheme would be at odds with this part of Runwell Road's generally less intense, more rural appearance, and its sporadic development pattern. However, having regard to the varied appearance of buildings in the area, and the presence of some closely knit rows of dwellings on adjacent roads, the harm caused would be limited.

17. Nevertheless, as the scheme would detract from the character and appearance of the area, and would involve the loss of a gap which contributes positively to the area, on this issue it would also conflict with CCS Policy DC12, including its reasoned justification.

Other considerations

18. Although the appellant cites the precedent set by the approved dwellings at Willsbrook and 108/110 Runwell Road, I have found material differences between those developments and this scheme. Those examples do not weigh in this scheme's favour.
19. The proposal would however make a very small contribution to housing supply, which is a very modest public benefit.

Conclusions

20. Summing up, as the proposal would not constitute limiting infilling in a village, it would be inappropriate development in the Green Belt. It would also harm its openness. In accordance with the Framework those are matters to which I give substantial weight. Additionally, the scheme would cause limited harm to the character and appearance of the area.
21. In its favour, the scheme would make a very small contribution to housing supply. However, as that would constitute only a very modest benefit, the other considerations in this case do not clearly outweigh the totality of the harm that I have identified, and the very special circumstances necessary to justify the development do not exist. The scheme would conflict with the development plan and with the Framework. Thus, having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR