



Appeal Decision

Site visit made on 18 June 2019

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 09 July 2019

Appeal Ref: APP/Z1510/W/19/3226588

Land adjacent to Timbers, Haverhill Road, Pale Green, Helions Bumpstead, Haverhill

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs M. Vinton against the decision of Braintree District Council.
 - The application Ref: 18/02214/OUT, dated 11 December 2018, was refused by notice dated 7 February 2019
 - The development proposed is the erection of a single bungalow
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Decision

1. The appeal is dismissed

Procedural Matters

2. The Council's delegated report describes the application as being submitted in outline form, with 'design and appearance' being reserved for future consideration. However, the application form states that, whilst an outline application, all matters are for consideration apart from landscaping. This is consistent with the appellant's statement of case. I have considered the appeal on this basis.
3. Whilst the refusal reason states that Haverhill Road is subject to national speed limits, the appellant suggests that it is 40mph. On my site visit, I was able to view several signs confirming that this is the actual speed limit. I have therefore considered the appeal on this basis.
4. The Council's reason for refusal cites policies from the Braintree District Publication Draft Local Plan. This is the subject of an ongoing examination. Whilst I have had regard to these policies, the weight has been limited by the fact that the findings of the examination are awaited.

Main Issue

5. The main issue is whether the site would be an appropriate location for a new dwelling, having regard to its accessibility.

Reasons

6. The appeal site is located between three existing bungalows and is somewhat overgrown. It is outside of any settlement's allocated boundaries. Access to the site is from Haverhill Road, which does not feature any pavements or

streetlighting. The nearest settlements are the village of Helions Bumpstead (broadly to the south west) and the hamlet of Pale Green (to the north east).

7. As the appeal site and adjoining three dwellings, are separated from the nuclei of Helions Bumpstead and Pale Green by fields and an orchard, I conclude that the proposed dwelling would result in the continuation of a ribbon form of development. Although I note other dwellings in the environs, these are generally arranged in small clusters and are separated from each other by fields, or other features, such as trees. These features prevent the appeal site and the relatively small number of buildings nearby from being considered a separate nucleus of dwellings.
8. Although there are dwellings within the wider area, I note a general under provision of retail, leisure and community facilities within the vicinity of the site. Therefore, future residents are likely to be compelled to travel in order to meet their day to day needs and, notwithstanding the presence of some dwellings nearby, I consider the appeal site to be somewhat isolated, and note that no exceptional circumstances have been put forward to justify dwellings in this location.
9. To reach a bus stop, it would be necessary to use Haverhill Road, which does not feature any pavements. Consequently, pedestrians would need to walk within the road which could, potentially, cause conflict with vehicles legitimately travelling at speeds of up to 40mph. The lack of street lighting would not be conducive to a good walking environment during inclement weather, or periods of darkness. Whilst I appreciate that the amount of time to walk to a bus stop might be relatively short, these factors could serve to deter people from utilising buses and encourage less sustainable means of travel.
10. Although there are some grass verges, these are not present for the entire distance between the appeal site and the nearest bus stops. Furthermore, these are often uneven and adjacent to ditches. Consequently, they are unlikely to represent an attractive alternative to walking on the road itself.
11. On my site visit I observed some parking on Haverhill Road. Any pedestrian would have needed to walk in the centre of the road to pass the vehicles. I appreciate that my site visit was a single 'snap shot' in time. However, if this were to occur regularly, it would add to the above concerns.
12. I appreciate that the time to travel to bus stops may be in accordance with the Institution of Highways and Transportation's 'Guidelines for Planning for Public Transport in Development', but I conclude that it is the unsuitable nature of Haverhill Road for pedestrians, rather than the length of walk itself, that renders the proposal unacceptable.
13. I note that scheduled bus services operate comparatively infrequently. My attention has been drawn to an additional charitable transport service, however, I have given this matter less weight in my assessment as I have not been provided with details of its availability. As a result, it is likely residents of the development would be dependent on private cars to meet their needs.
14. For the preceding reasons, I conclude that the principle of the development is unacceptable as residents would not have adequate access to sustainable means of transport. The development fails to accord with the requirements of Policy RLP16 of the Braintree District Local Plan Review (the Local Plan) (2005),

which seeks to direct new dwellings in rural areas into settlements where there is a nucleus of at least 10 dwellings and to avoid ribbon developments; and Policy RLP90 of the Local Plan and Policies CS5, CS7 and CS9 of the Braintree District Core Strategy (2004), which, amongst other matters, seek to encourage the use of sustainable methods of transport, provide accessibility for all, and protect the environment.

Other Matters

15. I note references made by the Council to a document which, it is claimed, demonstrates a five year housing land supply. I have not been provided with a copy of this document, which means that I have been unable to fully consider the conclusions that inform this position.
16. If I were to agree with the view of the appellant that there is not an adequate housing land supply, the tilted balance required by paragraph 11(d) of the National Framework (the Framework) would apply. This states that planning permission should be granted, unless the adverse impacts significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. The benefits are comparatively small given that the proposal is for a single dwelling only. These are significantly outweighed by the significant harm that would arise from the harm arising from the unsustainable location of the development. Therefore, the Framework is not a material consideration that indicates a different decision other than in accordance with the Development Plan.
17. Whilst I have given the personal circumstances of the appellant careful consideration, I am mindful that, in general, planning decisions regarding land use need to be made in the public interest. Therefore, I find that that these do not outweigh the unacceptable nature of the development. Whilst I note the efforts made by the appellant to create a development of an acceptable design, this is not the only matter that must be considered and does not offset the previously discussed policy breaches.
18. My attention has been drawn to some previous appeal decisions. Whilst I have had regard to their conclusions, I have been unable to give them significant weight as I have not been provided with full information regarding their planning circumstances and background. I also note that they are in different locations with, potentially, different services, public transport provision and highway layouts.

Conclusion

19. For the preceding reasons, and taking into account all matters raised, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR