
Appeal Decision

Site visit made on 1 October 2019

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 October 2019

Appeal Ref: APP/J1915/W/19/3230627

Mobile Home adjacent to How Green Meadow, Baldock Road, Buntingford SG9 9EW

- 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 T Carey against the decision of East Hertfordshire District Council.
 - The application Ref 3/18/2314/FUL, dated 19 October 2018, was refused by notice dated 19 December 2018.
 - The development proposed is use of land for the stationing of a caravan for permanent residential occupation.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the site address as it appears on the application form. Whilst this varies to the address stated on the Council's Decision Notice and on the appellant's appeal form, I am satisfied that it accurately details the site's location.
3. It is evident that a caravan/mobile home (the mobile home) is already stationed on the site and that residential occupation has commenced.

Main Issue

4. The main issue is the effect upon the character and appearance of the area.

Reasons

5. The appeal site lies within the built-up area of Buntingford and, notwithstanding the presence of several commercial uses to the west, its immediate surroundings are predominantly residential in their makeup. Dwellings take a variety of different forms, types and sizes and are situated on a range of differently sized plots. Furthermore, properties are finished in a variety of materials. Thus, the area has a mixed residential character and appearance.
6. The site under consideration here is similarly sized to a plot situated close by to the west that contains No 4 Deacons Place (No 4), a detached residential property. Indeed, other relatively tightly laid out plots exist locally. However, the mobile home that occupies the appeal site and is under consideration here, unlike No 4, is temporary in nature as well as in its form and appearance.

Whilst the residential character of the area is mixed, it is defined by established and permanent built structures.

7. The mobile home's siting is fairly discreet in the sense that it is contained within a fenced area and some planting is in place to the perimeter of this area. Indeed, due to the mobile home's limited height, views from public vantage points of it are restricted to its highest parts including its roof. Nevertheless, the site is located alongside a shared accessway and is setback only a short distance from Baldock Road. The mobile home does therefore have a visual presence and influences how the site is read and experienced. As a self-contained single unit of living accommodation positioned upon its own independent plot, the mobile home appears discordant and out of character with its established built surroundings.
8. Whilst not indicated in the description of development under consideration, the appellant has confirmed that a temporary permission would be acceptable to them such that the mobile home could remain in occupation pending the future construction of a permanent dwelling on the site. However, no precise timeframes have been indicated and separate planning permission for a permanent dwelling would be required. Any such future proposal would be subject to independent assessment and may not ultimately be successful. In such circumstances a temporary permission is not justified and, in any event, would have the effect of elongating the adverse effects I have identified above.
9. Whilst I acknowledge that works have been undertaken to landscape and to tidy up external garden areas on-site, for the reasons set out above, the proposal causes harm to the character and appearance of the area in conflict with Policy DES4 of the East Herts District Plan (October 2018) (the District Plan) and with Policy HD4 of the Buntingford Community Area Neighbourhood Plan (2017) in so far as these policies require that all development proposals must be of a high standard of design and layout to reflect and promote local distinctiveness and that new housing design should respect the rural/semi-rural character of the Buntingford Community Area and its immediate context.

Other Matters

10. It is my understanding that the mobile home's occupation, until recently, supported the provision of care for elderly inhabitants at the adjacent How Green Meadow. However, these previous care requirements no longer apply and any direct association between How Green Meadow and the appeal site ceases to exist. It has been stated by the appellant that the mobile home has been occupied as a main residence and assessed for the paying of Council Tax. Nonetheless, planning permission is not in place to occupy the mobile home as a self-contained unit of accommodation and I have assessed the appeal from this starting point.
11. I acknowledge that, in the event the appeal be dismissed, it is likely that the mobile home's occupiers would ultimately need to find alternative residential accommodation elsewhere. However, it has not been clearly demonstrated that other potential accommodation to suitably meet their needs is not available in the local area.
12. I have noted objections raised by interested parties with respect to matters including highway safety and the effect upon neighbouring living conditions.

However, as I have found the scheme to be unacceptable for other reasons, it is not necessary for me to explore these matters further here.

13. Policy HOU2 of the District Plan states that housing development should make efficient use of land and that proposals should improve the mix of house types available. Indeed, the National Planning Policy Framework (February 2019) (the Framework) reaffirms the Government's objective of significantly boosting the supply of homes and requires that decisions should promote an effective use of land. The Framework also outlines that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs.
14. A stable block previously occupied the site which, I understand, was associated to a past equestrian use. It is thus the appellant's view that, despite more recently having an association to How Green Meadow, the land in question should be considered brownfield. Even were I minded to agree that the site represents previously developed land (as defined in the Framework), the benefits associated with the delivery of a single unit of living accommodation, whilst making an efficient use of land and being in a location well served by surrounding facilities and services, are modest and do not outweigh the significant harm I have identified to the character and appearance of the area.
15. The scheme conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

16. For the above reasons, the appeal is dismissed.

Andrew Smith

INSPECTOR