



Appeal Decision

Site visit made on 5 November 2019

by Beverley Wilders BA (Hons) PgDurp MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 November 2019

Appeal Ref: APP/V1505/W/19/3235749

Land between The Laurels and St Anthony, Ramsden View Road, Wickford, Essex SS12 0LE

- 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 D Barker against the decision of Basildon District Council.
 - The application Ref 19/00779/PIP, dated 15 May 2019, was refused by notice dated 21 June 2019.
 - The development proposed is permission in principle for one to two dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal relates to an application for permission in principle for one to two dwellings. National Planning Policy Guidance¹ advises that the scope of permission in principle is limited to location, land use and amount of development and that it is these 'in principle' matters that should be considered at the permission in principle stage. I have determined the appeal accordingly.
3. The Council is in the process of producing a new development plan for the area and I understand that the Basildon Borough Revised Publication Local Plan 2014-2034 dated October 2018 (ELP) has been submitted for examination. However, both parties appear to agree that policies within the ELP should be given no more than limited weight having regard to its stage of preparation. I concur and have determined the appeal accordingly.

Main Issues

4. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt;
 - if the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other

¹ Paragraph: 011 Reference ID: 58-011-20180615

considerations so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether the proposal would be inappropriate development

5. The appeal site comprises a vacant piece of land located towards the end of Ramsden View Road, an un-made private road which is located south of the A129 and to the west of the centre of Wickford. A number of dwellings are located along the road, most comprising a ribbon of development along the stretch of road nearest to the A129 with further dwellings positioned within a small cluster at the end of the road. The site has a wide frontage onto the road and is positioned adjacent to a dwelling at St Anthony and partly opposite a dwelling on the other side of the road. The site to north of the appeal site known as The Laurels is screened from the road and appears to contain a number of structures including caravans. The appeal site is located in the Green Belt and existing development along Ramsden View Road is surrounded by open countryside.
6. In determining the application, the Council referred to policies GB1 and BE12 of the Basildon District Local Plan Saved Policies September 2007. However, neither of these policies provide specific guidance on development in the Green Belt. Policy GB4 of the ELP relates to Green Belt Residential Infill Development and states that such development will exceptionally be permitted where it does not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. However, as stated above, at the present time only limited weight can be attributed to policies in the ELP.
7. Paragraph 145 of the Framework states that whilst the construction of new buildings in the Green Belt is normally inappropriate development, exceptions to this include limited infilling in villages and limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt than the existing development.
8. As stated, the appeal site is vacant and does not contain any existing development. The appellant considers the site to be previously developed and states that there is evidence to suggest that there may have previously been more dwellings on Ramsden View Road and development on the site. However, the evidence is far from conclusive and I do not consider the site to be previously developed land. Even if I were to consider it to be so, the fact that there is no existing development on the site means that the proposal for one to two dwellings would inevitably have a greater impact on the openness of the Green Belt and would not therefore fall within that particular exception within paragraph 145 of the Framework.
9. With regard to infilling in villages, the Framework does not define the terms limited, infilling or village. In any event, the particular position of the site means that it cannot be said to be in a village. It is some distance from the centre of Wickford to the east and though the appellant refers to it being close to Crays Hill, it is also physically separated from that settlement. Moreover, the width of the site and the nature of development on The Laurels site to the

north of it means that I am not convinced that the proposal could be said to be limited infilling even if the site were considered to be in a village.

10. Taking the above matters into consideration, I conclude that the proposal would be inappropriate development in the Green Belt.

Openness

11. A fundamental aim of Green Belt policy, as set out in paragraph 133 of the Framework, is to keep land permanently open. The construction of the proposed dwellings of the indicative scale would result in additional built development and its footprint and bulk would inevitably lead to a loss of openness notwithstanding that there is some nearby built development. I therefore conclude that the proposal would lead to significant harm to the openness of the Green Belt.

Other considerations

12. Both main parties agree that the Council cannot currently demonstrate a five year supply of deliverable housing sites, though I have not been provided with any figures from either party as to the extent of the deficit.
13. Paragraph 11 of the Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. Such assets include land designated as Green Belt (Footnote 6). Footnote 7 of paragraph 11 states that for applications involving the provision of housing, out-of-date policies include situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites.
14. Having regard to my findings that the proposal would be inappropriate development in the Green Belt and to footnote 6 of the Framework, I find that the proposal is in conflict with part d) i) of paragraph 11 and that the proposal would not be sustainable development.
15. The proposal would provide an additional one or two dwellings and would contribute to the supply of housing in the Borough. It would also provide some modest economic benefits by providing employment during the construction period and by supporting the local economy. However, these economic and social benefits would be limited given that only one or two dwellings are proposed.
16. In determining the application, the Council also raised concerns with regard to the location of the site relative to a number of Special Protection Areas and Ramsar sites and I note that the Order² states that planning permission may not be granted for permission in principle in relation to development which is habitats development. However, as I am dismissing the appeal based on my findings in relation to the Green Belt, there is no need for me to consider the issue of whether the proposal is for habitats development further.

² The Town and Country Planning (Permission in Principle) Order 2017

Conclusion

17. Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 states that substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations.
18. The proposal is inappropriate development and it would lead to significant harm to the openness of the Green Belt.
19. There would be some limited social and economic benefits following the proposal. However, I find that the other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the proposal do not exist.
20. The proposal is contrary to relevant paragraphs of the Framework and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR