



Appeal Decision

Site visit made on 3 December 2019

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2019

Appeal Ref: APP/J1915/W/19/3236599

Greens Farm, East End, Furneux Pelham SG9 0JU

- 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 G Watson & Son against the decision of East Herts Council.
 - The application Ref 3/19/0932/OUT, dated 2 May 2019, was refused by notice dated 5 July 2019.
 - The development proposed is the erection of a detached one and a half storey dwelling for a farm worker.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Outline planning permission is sought with the matter of access to be determined at this stage and I have had regard to the access details provided. I have assessed all other submitted information on the basis it is illustrative.

Main Issues

3. The main issues are (i) whether the proposal would be in a suitable location having regard to national and local planning policies and accessibility, and (ii) the effect on the character and appearance of the area.

Reasons

Suitability of the location

4. The appeal site is in a Rural Area Beyond the Green Belt as defined in the East Herts District Plan 2018 (DP). In such areas, DP policy GBR2 allows limited infilling or the redevelopment of previously developed sites in sustainable locations and where appropriate to the character of the site. Whilst the proposal would represent a form of infilling, the main parties offer different views on whether the appeal site represents previously developed land. Notwithstanding this issue, the appeal proposal would only comply with DP policy GBR2 if in a sustainable location.
5. The site is outside the Furneux Pelham boundary as defined in the development plan. It is also approximately 1.4 miles from the village centre where there are a few facilities and bus stops for services to Bishop's Stortford and surrounding settlements. An unlit, narrow rural lane with no pavements lies between the site and the village facilities. The nature of the road and the separation distance would not be conducive to walking from the proposed dwelling to the

village centre. Consequently, it is unlikely that future occupiers would walk to local services, but instead would rely upon car travel.

6. The appellants state that the proposed house would be occupied by a person that would work on the site, thereby removing the need to commute. However, there is no evidence to show that the dwelling would be essential to meet the needs of the farm as required under DP policy HOU5. As such, it would be unreasonable to impose a condition that limits occupancy to farm workers. Given its location away from significant employment centres, it is likely that occupiers would travel by car to access workplaces away from the site.
7. The proposal would not be an isolated dwelling in the countryside as referred to in the National Planning Policy Framework (the Framework). However, being away from the village centre, the house would not be located where it will enhance or maintain rural services. Rather than visit the facilities in the village, it is more likely that occupiers of the proposed dwelling would drive to the broader range of services in larger settlements. As such, the proposal would not be located to minimise the need to travel or to promote walking, cycling and public transport use.
8. The appellants refer to 2 appeal decisions¹. The Albury Road decision was issued before the adoption of the DP when a five year supply of housing land could not be demonstrated. Therefore, the planning policy context and the weight to be attributed to the supply of housing is now different. The Acremore Street scheme differs to this appeal proposal as it is for a house that would replace a commercial building that already generates traffic. Consequently, these decisions do not affect my conclusions on this main issue.
9. For the reasons outlined above, I conclude that the proposed development would not provide a suitable location for housing having regard to local and national policies and accessibility to services. Consequently, and in this regard, it would be contrary to policies DPS2, GBR2 and HOU5 of the DP and the Framework. These aim to locate rural housing development where it would support existing communities and would limit the need to travel, unless to meet the essential needs of rural workers.

Character and appearance

10. The appeal site is largely open with some trees and a few small buildings behind a roadside hedge. Greens Farm house and agricultural buildings as well as another dwelling adjoin the site. Notwithstanding these buildings and the lack of any special designation, the site's openness and front hedge positively contributes to the area's attractive rural character.
11. A vehicular access is proposed through a new gap in the hedge. Most of the existing vegetation would be retained and added to, but the new access would be seen from the road and the gap would provide views of the proposed development from the highway. Whilst its visual effects would be localised, the house and associated features would erode the site's contribution towards the rural character and appearance of the area.
12. The proposed house would be next to other buildings and would be of limited height. Also, it would not represent an incursion into a field and would not

¹ Appeals ref nos. APP/J1915/W/16/3147738 and APP/J1915/W/3205669

obstruct important views. Even so, the proposal would lead to a more obvious residential appearance to the site, to the detriment of the area's character.

13. For the reasons outlined above, I conclude the development would cause significant harm to the character and appearance of the area. Consequently, and in this regard, it would not accord with policies GBR2 and DES3 of the DP and the Framework which aim, amongst other things, to protect or enhance features that add to the character and appearance of an area.

Other Matters

14. The proposed development would be adjacent to the house at Greens Farm, a Grade II Listed Building. The significance of the house lies in part to its traditional rural features such as small windows and thatched roof. Whilst the proposed house would be harmful to the character of the area, it would not cause harm to the setting and significance of the listed building if positioned towards the rear of the site and off the common boundary. However, lack of harm in this respect does not weigh in favour of allowing the appeal.
15. The proposal would be acceptable in terms of highway safety, parking provision, flood risk and land contamination. Also, it would not impact on features of ecological or archaeological interest. However, acceptability in these regards is a neutral factor in my assessment.
16. The proposed development would add to the supply of housing and would have economic benefits in terms of creating construction jobs. The appellants also suggest the proposal represents the more efficient use of previously developed land. Even if I was to accept this point, the benefits in all these regards are modest as the proposal is for a single house.
17. The appellants suggest that the presumption in favour of sustainable development as set out under paragraph 11 of the Framework applies. However, the proposal fails to accord with the DP which has been recently adopted and is therefore up-to-date. Also, there is no evidence to show the Council is unable to demonstrate a five year housing land supply. As such paragraphs 11 c) and d) of the Framework do not apply in this case.
18. Overall, the benefits of the proposal are modest. They are insufficient to outweigh the significant harm to the character and appearance of the area and the unsuitable location for the proposal when having regard to relevant policies and accessibility to services.

Conclusion

19. For the reasons given above, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR