
Appeal Decision

Site visit made on 10 November 2020

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Wednesday, 25 November 2020

Appeal Ref: APP/J1915/W/20/3253449

Land adjacent to Barwick Lodge, Road between Gore Lane and Kettle Green Lane, Barwick, High Cross SG11 1DB

- 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 Chaldean Estates Ltd against the decision of East Hertfordshire District Council.
 - The application Ref, dated 27 March 2020, was refused by notice dated 20 May 2020.
 - The development proposed is the conversion of the existing outbuilding to a two-bedroom dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. A revised plan showing the provision of cycle storage has been submitted as part of the appeal documentation. Given that the Council had the opportunity to comment on the revised plan and owing to the relatively small scale and nature of the amendment, I do not consider it would cause prejudice to any party to assess the appeal on the basis of this revised plan. I have therefore proceeded on this basis.
3. I have noted references to an emerging Neighbourhood Plan. However, owing to the status of this plan and the fact that I have not been directed towards any specific policies means that I am unable to give this document a significant amount of weight in my considerations.

Main Issue

4. The main issue is the suitability of the site as a location for a residential development.

Reasons

5. The appeal site is located to the rear of an existing dwelling and close to a relatively small cluster of other dwellings. Beyond the appeal site is open countryside, including woodlands, of variable gradients.
6. By reason of the nature of the surrounding land uses, residents would need to travel to other settlements in order to access the array of services and facilities that they are likely to require on a day to day basis. This would occur irrespective of the fact that the proposed development would not be isolated due to its proximity to other dwellings.

7. This poses a concern as the surrounding road network is narrow, undulating and sinuous. It also lacks separate environments for pedestrians and cyclists. I also note that the appeal site is near to a ford. By pedestrians this can only be crossed by a relatively narrow footbridge. This width is also likely to deter individuals travelling with larger items, such as pushchairs.
8. In consequence, this environment is likely to deter residents of the development from travelling by methods such as walking or cycling owing to the potential conflict with motor vehicles. This conflict is therefore likely to encourage additional journeys by private cars.
9. Whilst I note that some bus services are available within the wider area, the relevant bus stops are still some distance away from the appeal site. This means that residents of the development would still have to travel, in part, on the surrounding road network which is likely to deter journeys being made on foot or by bicycle.
10. Although access to public transport might reasonably be expected to be lower than a more urban area, the absence of a readily accessible service raises concerns regarding the suitability of the development's location.
11. Residents would have access to some footpaths within the surrounding area. However, these are unlikely to be a completely satisfactory alternative owing to the lack of lighting and metalled surface. These paths also have varying gradients. In consequence, they are unlikely to represent a satisfactory alternative for all residents. In result, they do not offset my previous concerns.
12. The proposed development features cycle storage and had I been minded to allow the appeal, I could have imposed conditions requiring the implementation and retention of this element of the proposal. Whilst this matter would ensure that residents of the proposed development would have adequate storage for bicycles, this would not address my previous concerns regarding the nature of the surrounding road network.
13. My attention has been drawn to Policy DPS2 of the East Hertfordshire District Plan 2018 (the District Plan), which provides a hierarchy for the location of new developments. The development would not be sited within one of these locations, however, I have identified some adverse effects arising from the siting of the proposed development. Therefore, the fact that the proposed development would not be located within one of the specified areas carries some weight.
14. The proposed development would result in the re-use of the building in addition to some improvements, such as through the removal of the asbestos roof. These would be of some benefit. However, given that I have identified harm arising from the location of the proposed development, such benefits are outweighed.
15. There is an extant planning permission to change the use of the existing outbuilding to an annexe and that this permission is still capable of being fully implemented. Accordingly, it carries some weight in my considerations. However, an annexe would be occupied by members of the same household as the existing dwelling. As such, there is a greater opportunity for shared journeys and trips.

16. Therefore, the scheme before me would be used on a more intensive basis as the scheme could be occupied by a family unconnected with the existing dwelling. In result, I do not believe the presence of an approval to use the outbuilding is sufficient to outweigh my previous concerns.
17. My attention has also been drawn to other proposals. I do not have the full information regarding their planning circumstances, which lessens the weight that I can attribute to them. Nonetheless, the nature of their surrounding road network is different to the scheme before me. Accordingly, these proposals do not allow me to disregard my previous concerns.
18. I therefore conclude that the proposed site would represent an inappropriate location for a residential development. The development would conflict with Policies DPS2 and TRA1 of the District Plan. Amongst other matters, these policies seek to direct new development to preferred locations and ensure that safe and suitable access can be achieved for all users.

Other Matter

19. The proposed development would not have an adverse effect upon the character and appearance of the surrounding area. Whilst this is a matter of note, it is only one of all the points that must be assessed. It therefore does not overcome my conclusions in respect of the main issue.

Conclusion

20. For the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR