



Appeal Decision

Site Visit made on 17 November 2020

by Paul Thompson Dip TRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th November 2020

Appeal Ref: APP/J1915/W/20/3248353

Sayes Park Farm, High Wych, Sawbridgeworth, Herts CM21 0JE

- 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 A Greenall against the decision of East Hertfordshire District Council.
 - The application Ref 3/19/1423/FUL, dated 4 July 2019, was refused by notice dated 12 September 2019.
 - The development proposed is to convert redundant barns to 2 dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The main parties agree that the proposed development would not amount to inappropriate development in the Green Belt, nor would it harm the openness of the Green Belt, as required by Policy GBR1 of the Council's Local Plan¹ and the Framework². I have therefore determined the appeal on this basis and dealt solely with the matters that are in contention, as set out in the main issues below. I have also not found against Policy DES4 of the Council's Local Plan, which refers to design, as the Council did not find harm in this respect.

Main Issues

3. The main issues are whether the site represents an appropriate location for housing, having regard to the development plan and access to shops, services and facilities.

Reasons

Location of the development

4. The access to the land comprising the appeal site is to the southwest of the village of High Wych, which is designated as a Group 2 Village³. The barns situated within the site are part of a more extensive group of buildings at Sayes Park Farm in agricultural, residential and commercial use, beyond which is open countryside.
5. The proposal for housing in this location would not meet any of the criteria specified in the hierarchy contained in the Council's Development Strategy 2011-2033. In particular, it would not be a brownfield site or represent limited

¹ East Herts District Plan (October 2018).

² National Planning Policy Framework.

³ Policy VILL2 of the Council's Local Plan.

development in a village. I therefore conclude that the appeal site would not represent an appropriate location for housing, having regard to the development plan. Hence, the proposed development would be in conflict with Policy DPS2 of the Council's Local Plan.

Access to shops, services and facilities

6. Although the appeal site is situated within an area of countryside, in terms of whether the proposed dwellings would be 'isolated' in the language of the Framework and the Court of Appeal judgement⁴, it is important to have regard to the site's relationship to existing built development as well as accessibility to services and facilities. Paragraph 78 of the Framework seeks to restrict housing in rural areas to locations where housing will enhance or maintain the vitality of rural communities.
7. Taking the physical dimension of isolation first, the proposed dwellings would be close to dwellings and other buildings at the farm. While the proposal would not be isolated from other dwellings it would do little more than add to existing development encircled by open countryside, some distance away from the village of High Wych. There are a small range of local services and facilities in the village, including a primary school, but the reality is that future residents would be obliged to travel further to Sawbridgeworth and Harlow, to meet their day-to-day needs, as a greater range of facilities and services are available.
8. In terms of accessibility, Policy TRA1 of the Council's Local Plan and paragraphs 102 and 103 of the Framework refer to transport issues. The latter suggests that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Given their location, the occupants of the proposed dwellings would be obliged to walk or cycle some distance up the access or along public rights of way across fields to reach the highway. As these lack lighting and dedicated pedestrian footways, the opportunities to walk or cycle to the services and facilities available nearby would not be convenient or realistic ones, particularly after dark or in bad weather.
9. Future residents would therefore be highly likely to be required to travel regularly by private motorised transport to access education, retail, employment and healthcare. I appreciate that the proposal would not, of itself, generate a large number of traffic movements and a greater dependency on car use is inevitable in more rural locations. The residents of existing properties in the immediate vicinity, including at the farm, may also choose to make such journeys. Nevertheless, the cumulative effect of allowing developments in locations such as the proposal would be likely to increase the amount of unsustainable journeys made. I have also not been provided with any information regarding the proximity and frequency of bus services to be able to determine whether they would sufficiently discourage further use of private motorised transport.
10. The appellant has referred to the approach to the accessibility of agricultural buildings that are able to be converted to residential use by virtue of permitted development rights, including references to supportive text in the Planning Practice Guidance. However, there is nothing before me to suggest whether the proposal would meet the requirements of the relevant approval process and, in any event, the appeal relates to an application for planning permission and

⁴ *Braintree DC v SSCLG* [2018].

such matters are approached in a different manner, as outlined by the main parties in their cases.

11. For the reasons outlined above, I conclude that the site would not represent a suitable location for housing, having regard to access to shops, services and facilities. Hence, the proposed development would conflict with the aims of Policy TRA1 of the Council's Local Plan and paragraphs 78, 102 and 103 of the Framework.

Planning Balance and Conclusion

12. Although the Council is able to demonstrate a five-year supply of deliverable housing sites, I am mindful of the support offered in the Framework to the Government's objective to significantly boost the supply of homes. However, the contribution of the proposal to the overall housing mix and supply in the District would be minor in its extent and afforded limited weight.
13. While the proposal could provide accommodation for farmworkers to assist in the efficient operation of the farm, there is no substantive evidence before me which would establish a need for such accommodation or whether this need could not be met by other accommodation in the local area. I therefore only give limited weight to these arguments.
14. The proposal would make more efficient use of under-utilised barns, but the Framework is clear that such considerations should include taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use.
15. Some economic benefits would arise from, for example, employment during the construction period. Future occupiers would also contribute to the vitality of the rural economy through expenditure but they would be likely to do so by utilising private motorised transport. Given the scale of the development these benefits would be limited in scale and kind and consequently carry moderate weight.
16. The compliance of the appeal scheme with the Council's Local Plan policies, or parts thereof, in respect of the character and appearance of the barns and their surroundings, living conditions of occupiers of other residential properties, highways and flood risk, would constitute neutral impacts that would neither weigh for nor against the appeal scheme. In terms of harm, the site would not represent a suitable location for housing, having regard to the development plan and access to shops, services and facilities.
17. The proposal would not amount to sustainable development under the terms of the Framework. Overall, I find that the adverse impacts of the proposal are matters of significant and overriding weight against the grant of planning permission.
18. I have found harm in relation to the location of the development, and there are no other considerations which would outweigh these findings. Accordingly, for the reasons given, I conclude that the appeal should be dismissed.

Paul Thompson

INSPECTOR