
Appeal Decision

Site visit made on 15 December 2020

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 12 January 2021

Appeal Ref: APP/M1595/W/19/3243017

**Green House (land adjacent to The Lillies), Robinson Road,
Horndon on the Hill SS17 8PU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Martin Leyland against Thurrock Borough Council.
 - The application Ref: 19/01206/FUL, is dated 5 August 2019.
 - The development proposed described as permission to build two detached three-bedroom bungalows Each will have a bathroom, lounge, kitchen/diner, utility room, ensuite and hallway. The walls will be a combination of stone and render with a slate roof.
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Decision

1. The appeal is dismissed, and planning permission for two detached three-bedroom bungalows. Each will have a bathroom, lounge, kitchen/diner, utility room, ensuite and hallway. The walls will be a combination of stone and render with a slate roof is refused.

Procedural Matters

2. The proposal was described on the application form as 'we are applying for permission to build two detached 3-bedroom bungalows of approximately 230 sq M each. Each will have a bathroom, lounge, kitchen/diner, utility room, ensuite and hallway. The walls will be a combination of stone and render with a slate roof'. The appeal form describes the development as 'permission to build two detached three-bedroom bungalows Each will have a bathroom, lounge, kitchen/diner, utility room, ensuite and hallway. The walls will be a combination of stone and render with a slate roof'. In the interests of precision, I have proceeded on the basis of the description used on the appeal form.
3. A revised plan has been submitted with the appeal showing a different roof design for the proposed dwellings. It is suggested that this would overcome the concerns raised by the Council. Be that as it may, this would amount to a new proposal and has not been the subject of public consultation. I have therefore proceeded on the basis of the plans originally considered by the Council.

Main Issues

4. The main issues are:

- whether the proposal is inappropriate development for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
- the effect of the proposal upon the openness of the Green Belt;
- the effect of the development upon the character and appearance of the surrounding area; and
- if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development

5. The site is located in the Metropolitan Green Belt. The National Planning Policy Framework (the Framework) regards the erection of a new buildings in the Green Belt as generally being inappropriate. There are some exceptions to this, which are summarised within paragraph 145 of the Framework. Amongst others, this list includes the erection of a limited infill within a village.
6. The proposed dwellings would be located in between other buildings. In consequence, they represent an infill development. However, paragraph 145 of the Framework, is clear that such dwelling should be located within a village.
7. The proposed development would be sited near to Horndon on the Hill. The character of Horndon on the Hill can be summarised as being concentrated within a relatively small area, with dwellings situated in a broadly linear amount from the highway. Dwellings are also located in relative proximity to one another. The village of Horndon on the Hill also contains several pavements and streetlighting.
8. The appeal site is in Robinson Road, which is accessed from Oxford Road. Whilst these roads contain several dwellings, they are constructed to differing designs and are situated in different positions on their respective plots. Furthermore, dwellings are located on an irregular basis. In result, there are several vacant areas in these two roads that do not feature development. Some of these vacant areas are located on both sides of the road simultaneously. As such, the appeal site and the vicinity does not have the appearance of being in a village.
9. In addition, neither Robinson Road or Oxford Road feature separate pavements for pedestrians or streetlighting as is present in several places in Horndon on the Hill. In consequence, the appearance of these dwellings is in contrast to what might be expected within a village as the road has an appearance akin to a country lane. In consequence, these factors lead me to conclude that the appeal site is not located within a village.
10. My attention had been drawn to a number of maps and data sets that, in broad summary, indicate that residents of the appeal site and its immediate surroundings would support and make use of the services and facilities on offer in Horndon on the Hill. However, an assessment as to whether a site is located within a village needs to be made on the basis of the nature and character of

the site and its surroundings including an assessment of their form and appearance. Therefore, the presence of these information sources do not allow me to disregard my previous concerns.

11. I therefore conclude that the proposed development represents an inappropriate development within the Green Belt. The development, in this regard, would conflict with Policies CSSP4 and PMD6 of the Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015) (the Core Strategy), and the Framework. These, amongst other matters, seek to ensure that new developments maintain the purpose and function of the Green Belt; and avoid inappropriate development in the Green Belt.

Effect on openness

12. Whilst the site, in its current form, contains a limited number of structures, the character of the site is broadly undeveloped and consistent with its rural character.
13. The proposed development comprises two new dwellings that would be accessed from Robinson Road. The development would also include driveways. In addition, as domestic dwellings, there is a likelihood that the garden areas could, in time, include items of domestic paraphernalia such as sheds. Taken together, these matters would result in a substantial increase in the level of built form.
14. This is of particular concern given that the proposed dwellings would be in relatively close proximity to the road and would be readily apparent through the driveways that have been included as part of the development. In result, the proposed development would be readily perceptible when viewed from the surrounding area. This increase would therefore lead to an erosion of the physical openness within the surrounding area.
15. Furthermore, given the proposed increase in built form upon the appeal site, the proposed development would result in an encroachment in the level of built form within the Green Belt. The development would, in this regard, conflict with the purposes of including land within the Green Belt.
16. In addition, the increase in built form, in conjunction with other existing buildings within the surrounding area would result in the creation of a more urban setting that would conflict with the spatial sense of openness that is part of the Green Belt's intrinsic character.
17. I therefore conclude that the proposed development would have an adverse effect upon the character of openness within the Green Belt. The development in this regard would conflict with Policies CSSP4 and PMD6 of the Core Strategy and the Framework. These, amongst other matters, seek to ensure that new developments maintain the open character of the Green Belt.

Character and appearance

18. The proposed dwellings are bungalows, they would feature pitched roofs. Owing to their form and siting, the front gables of the proposed dwellings would front onto Robinson Road.

19. By reason of their roof shape, the proposed development would have a significant height irrespective of the fact that the dwellings are intended to be bungalows. Furthermore, the proposed development would have gables that would face the highway.
20. In result, this height combined with its orientation would lead to an erosion of the less developed, more rural character that is a feature of the appeal site and the surrounding area given that the proposed development would be of a bulky design of a significant massing.
21. Furthermore, given the positioning of the proposed development, it would not be possible for this increased massing to be adequately mitigated without having a greater adverse effect upon the level of openness.
22. In addition, the gable area of the proposed dwellings would feature little in the way of architectural detailing. This means that the proposed development would appear to be of a bland appearance that does not complement the rural surroundings of the site. Furthermore, some of the surrounding buildings feature greater amounts of architectural detailing. The proposal would therefore appear incongruous within this regard.
23. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, would conflict with Policies CSTP22, CSTP23 and PMD2 of the Core Strategy. These, amongst other matters, seek to ensure that new developments contribute positively to the character of the area; that developments protect, manage and enhance the character of Thurrock; and be founded on a positive response to the local context.

Other considerations

24. The proposed development would result in the creation of two additional dwellings, which would add to the local housing supply, however, the benefit of this would be limited owing to the scale of the proposed development. The occupiers of the development would have the opportunity to support local business and the construction process would support the local economy. However, owing to the scale of the development, such benefits are likely to be small scale and localised in impact. In consequence I give each of these matters a limited amount of weight.
25. Given that the proposed development would result in harm to the Green Belt, the weight that can be attributed to these benefits does not amount to very special circumstances.

Other Matter

26. I acknowledge concerns raised by the appellant regarding the manner in which the Council considered the planning application. However, in assessing this appeal, I have limited my considerations to the planning matters before me.

Planning Balance and Conclusion

27. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to this harm. Very special

circumstances will not exist unless the harm to the Green Belt is clearly outweighed by other considerations.

28. As explained above, I give only limited weight to each of the considerations cited in support of the proposal and accordingly I do not find that these amount to the special circumstances necessary to justify the development.
29. In consequence, and for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR