



Appeal Decision

Site Visit made on 12 July 2021

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd August 2021

Appeal Ref: APP/V1505/W/21/3268385

Land Rear Of The Hyde, Glebe Road, Ramsden Bellhouse, Billericay, CM11 1RL

- 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 Webb against the decision of Basildon Borough Council.
 - The application Ref 20/00502/FULL, dated 5 May 2020, was refused by notice dated 7 October 2020.
 - The development proposed is described as "6 No Bespoke Chalet Bungalows".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's Emerging Local Plan has been submitted for examination. However, based on the evidence before me it is some distance from adoption, and therefore its policies carry limited weight in the determination of this appeal.
3. The Government released a revised National Planning Policy Framework in July 2021. The main parties were invited to comment on the revised document as part of their submissions on this appeal.

Main Issues

4. The site is in the Green Belt, and therefore the main issues are:
 - Whether the development proposed would constitute inappropriate development in the Green Belt, having regard to the National Planning Policy Framework and any relevant development plan policies,
 - The effect on the openness of the Green Belt,
 - The effect on the character and appearance of the area,
 - Whether the development would make acceptable provision for surface water management; and,
 - Would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

5. The National Planning Policy Framework (the Framework) states that the construction of new buildings in the Green Belt should be regarded as inappropriate development, other than for certain exceptions, and should not be approved except in very special circumstances. The appeal proposal does not conform with any of the identified exceptions set out in the Framework.
6. The Ramsden Bellhouse area has been set a target of 39 new homes in the emerging Local Plan. The intention is that these will be delivered on sites identified within a Neighbourhood Plan (the NP) for the area. However, there is no existing NP so there are no development plan policies relating to the provision of housing in this location.
7. The appeal proposal would therefore be inappropriate development in the Green Belt, contrary to the requirements of the Framework set out above.

Openness

8. As the appeal proposal would be inappropriate development, it is necessary to also consider the effect it would have on the openness of the Green Belt.
9. The main part of the appeal site is a field lying to the rear of a predominantly linear row of houses. While there are houses immediately next to the site, they are separate from it. The site is otherwise bordered by trees and a low post and rail fence and is an open and undeveloped piece of land.
10. The introduction of six houses on the main part of the site would result in a substantial encroachment of built development onto this piece of land, causing a harmful loss of both spatial and visual openness in this location. The houses would be chalet bungalows and similar in size to the immediately neighbouring houses, but the development would conflict with one of the main Green Belt purposes of safeguarding the countryside from encroachment and the fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open. The extension of the access road serving the existing houses across undeveloped greenfield land would also result in the loss of spatial openness in this location.
11. The appeal proposal would therefore result in harm to the openness of the Green Belt.

Character and appearance

12. The appeal site is undeveloped greenfield land beyond the existing built up area of the settlement and contributes to its rural setting. There are houses immediately adjacent to the site, between it and The Hyde. However, there is a clear boundary to the rear of properties on Glebe Road, and the appeal site lies beyond this.
13. There are houses on Orchard Avenue beyond the mature treeline to one side of the site, but these are barely visible due to the screening effect of the trees. The appeal site borders open countryside on the remaining two sides, with a railway embankment some distance away having little effect on the essentially open character of the site.

14. The proposed development would result in the loss of this open character and be harmful to the character and appearance of the area. It would therefore conflict with Policy BAS BE12 of the Basildon Local Plan 2007, which requires amongst other criteria that development be refused if it causes material harm to the character of the surrounding area.

Surface water management

15. The Framework requires that flood risk is not increased elsewhere because of proposed development. A Flood Risk Assessment has been submitted with the appeal which confirms that the predominant geology in the area is impermeable clay conducive to large amounts of surface water runoff. It also states that a sustainable drainage strategy should be developed for the site for effective management of surface water over the lifetime of the development.
16. The proposed development would result in a significant increase in hard surfacing, and while flood relief is proposed in the form of a lake on site and a storm drain feeding to an offsite lake it is not clear that this would be sufficient to control surface water at the site without an increase in the risk of flooding on neighbouring land. The appeal proposal therefore conflicts with the relevant requirement of the Framework.

Other considerations

17. The appellant has identified considerations that they contend weigh in favour of the appeal proposal. The development would deliver six new chalet bungalows, supporting the Government's objective of significantly boosting the supply of homes and contributing to the target of 39 new homes projected to be required in the area in the emerging Local Plan. The Council can currently demonstrate a 2.4 year supply of deliverable housing lands, a substantial shortfall on the expected provision of five years' supply. The proposal is wholly for self-build housing, and the Housing and Planning Act 2016 places a duty on local authorities to give suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area arising in each base period. The development would connect Glebe Road and Orchard Avenue, restoring a previous connection that was lost and providing improved public access to the countryside. The site is available for development and is accessible, and its development would not result in disruption to residents. Development of the site would support the village infrastructure. Cumulatively, these benefits attract considerable weight, especially given the shortfall in housing land.
18. The appellant states that as the proposal does not involve frontage development it would have no impact on the look and feel of Ramsden Bellhouse. They also contend that landscaping of the site would be a benefit. However, the development would cause harm to the character and appearance of the area, so this does not weigh in favour of the development.
19. My attention has been drawn to the conclusions of the Council's housing land assessments as part of their preparation for the emerging Local Plan. The Housing and Economic Land Availability Assessment 2015 considered the site as part of a larger area of land comprising the open fields between Glebe Road and the railway line and found it to be suitable for development. The Serviced Settlements Review 2017 found that development of the larger area would extend Ramsden Bellhouse into the Green Belt in a manner inconsistent with

the existing pattern of development but suggested that the western half of the site could be developed. However, notwithstanding these findings the site was not ultimately allocated for development in the emerging plan and remains in the Green Belt. The findings of these assessments therefore carry limited weight.

20. The appeal proposal would be inappropriate development in the Green Belt that would also cause harm to its openness, as well as to the character and appearance of the area. In addition, the development fails to demonstrate that the proposal would not result in an increased risk of flooding elsewhere. The Framework states that substantial weight must be given to any harm to the Green Belt, and the other identified harm carries further weight in addition to this.
21. While the considerations identified by the appellant weigh in favour of the development, in this instance they would not clearly outweigh that substantial weight and the weight attached to the other identified harm. Consequently, very special circumstances do not exist in this case.

Other Matters

22. The site falls within the zone of influence for the Essex Coastal Recreational Avoidance and Mitigation Strategy. If I had been minded to allow the appeal it would have been necessary to carry out an appropriate assessment to determine whether the appeal proposal, either alone or together with other development, would be likely to have a significant effect on the features of interest of protected habitat sites. However, as the appeal is being dismissed for other reasons, it is not necessary to consider this matter further.

Conclusion

23. There are no material considerations to indicate that this appeal should be determined other than in accordance with the development plan.
24. Therefore, for the reasons set out above, the appeal fails.

M Chalk

INSPECTOR