



Appeal Decision

Site visit made on 8 November 2021

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th December 2021

Appeal Ref: APP/W1525/W/21/3275518

1 Portland Cottages, Blackmore Road, High Wood, Chelmsford, CM4 0PZ

- 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 Geoffrey Williams against the decision of Chelmsford City Council.
 - The application Ref 21/00250/FUL, dated 2 February 2021, was refused by notice dated 21 April 2021.
 - The development proposed is demolition of existing stable & storage buildings. Erection of one single storey dwellinghouse with associated parking & landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Following the Council's decision, the National Planning Policy Framework (the Framework) was revised on 20 July 2021. The Council and appellant have had an opportunity to comment on the implications of these changes through their submissions.

Main Issue

3. The main issue is whether the proposed dwelling would be in a suitable location with particular reference to local policies concerned with housing in rural areas.

Reasons

4. The site is located outside of any defined settlement boundary and is therefore within the countryside for planning policy purposes. Policy S1 of the Chelmsford Local Plan 2020 (LP) states that all new development will be required to accord with its spatial principles, including locating development at well connected and sustainable locations. Also, that development should be focused at the higher order settlements outside of the Green Belt and respect the existing development pattern and hierarchy of other settlements.
5. Policy S7 of the LP sets out further details of the Council's spatial strategy and identifies Highwood as a service settlement, located within the Green Belt. The supporting text to the policy outlines that service settlements have more limited services and facilities.
6. The site is located approximately 1.9 kilometres from the services within Blackmore, which include a convenience shop incorporating a post office and two pubs. However, even if the occupants of the proposed development were to walk or cycle to Blackmore, the village has limited services and facilities. An

alternative would be to walk or cycle to the village of Highwood, approximately 2 km from the appeal site, but the facilities within this village are also limited. Therefore, I consider that occupiers would be more likely to travel to services and facilities within the nearby town of Chelmsford.

7. The lack of footpaths or streetlighting would make it less attractive for people to walk, especially for small children going to school. Although there are wide verges evident along Blackmore Road, which would enable refuge from vehicles, the route would still be less than convenient during inclement weather or evenings.
8. It has been put to me that the site is well located in terms of cycle routes and evidence has been submitted to demonstrate that the area is popular with cyclists. Whilst recreational cycling may be popular in the area due to the rural nature of the road network, I am not persuaded that this provides sufficient evidence that cycling would be a realistic mode of transport to access the day to day services and facilities having regard to the distance to the nearest town.
9. I have no substantive evidence before me to indicate that the site is well served by public transport. Whilst a bus service operates from the nearby bus stop on the junction of Blackmore Road and Metsons Lane, the service is not hourly and there are periods of the day when no services are available. Therefore it is unlikely to be a realistic alternative to the convenience of a private car.
10. I therefore consider that occupiers of the proposed development would be likely to be reliant on the private car to access a full range of community facilities such as shopping, healthcare, leisure and entertainment, given the distance to the nearest sizeable town.
11. In conclusion, the introduction of the proposed development into the appeal site, would fail to adhere to the relevant policies relating to housing in rural areas. The development would therefore conflict with policies S1 and S7 of the LP which together seek to direct development to the most appropriate locations to ensure existing settlements maintain their distinctive character.

Other Matters

12. The site is located within the Green Belt but this did not form part of the Council's reasons for refusal. The Council's position as to whether the development is inappropriate is not entirely clear, having regard to the conflict they have identified with policy DM6B of the LP. However, as I am dismissing the appeal on other grounds, I am not required to reach a conclusion as to whether the development is inappropriate having regard to the tests set out in both the LP and Framework.
13. It would appear that the appeal site falls within a 'Zone of influence' for a designated site. Natural England has provided revised advice regarding the need to ensure that new residential development and any associated recreational disturbance impacts on designated sites are compliant with the Habitats Regulations. As the competent decision making authority, if I had been minded to allow the appeal it would have been necessary for me to complete an Appropriate Assessment for this scheme. However, as I am dismissing the appeal for other reasons, I have not taken the matter further.

14. The development would give rise to some economic benefits during the construction phase and provide limited support to local services. There would be modest social benefits arising from the contribution to the Council's housing supply, noting the Framework highlights the contribution small and medium sized sites can make to meeting the housing requirement in the area. I have also taken into account the personal circumstances set out within the evidence before me regarding the appellant's wish to provide additional accommodation in order to improve their families living conditions. However, these benefits are not of sufficient magnitude to outweigh the harm I have identified and the significant weight I afford to the conflict with the development plan in this instance.

Conclusion

15. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict. For the reasons given above, I conclude that the appeal should be dismissed.

G Pannell

INSPECTOR

