
Appeal Decision

Site visit made on 12 July 2022

by Stephen Wilkinson BA BPI DIP LA MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 December 2022

Appeal Ref: APP/J1915/W/22/3293506

Home Farm, Wyddial Road, Wyddial, Hertfordshire

- 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 Mrs S Diack against the decision of East Hertfordshire District Council.
 - The application Ref 3/21/2352/FUL, dated 10 September 2021, was refused by notice dated 30 November 2021.
 - The development proposed is demolition of existing outbuildings and stable block, construction of 2No. 3 bed semidetached, self-build residential buildings (ClassC3), new access, associated parking, private amenity space, refuse collection and associated hard and soft landscape.
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Decision

1. The appeal is dismissed.

Main Issue

2. The location of development having regard to national and local policies.

Reasons

3. The appeal site forms part of the garden area of Home Farm; a point confirmed in Section 2 of the Design and Access Statement. For this reason, alone it does not fall within the definition of previously developed land as defined by the National Planning Policy Framework, the Framework¹.
4. The scheme involves the demolition of stables and outbuildings with the erection of a pair of 2 storey semi detached dwellings with 4no. parking spaces and the creation of a new vehicular access; the existing access to Home Farm would be stopped up.
5. Wyddial is identified by Policy VILL3 as a Category 3 village and by Policy GBR2 as lying in the rural area outside the Green Belt. Both these policies reinforce the Councils settlement strategy included in Policy DPS2 which requires that new development is concentrated in a hierarchy of centres. This is designed to reduce reliance on private transport as required by Policy TRA1.
6. Although the appellant's statement references that home working is increasing after the pandemic the future occupiers of the proposed dwellings would still require transport to access services given the limited services in the vicinity of the site. Given the site's location, around 2km from the nearest settlement,

¹ Annex 2

Buntingford, the location of the appeal scheme would not allow transport by a genuine range of transport modes as suggested in the Framework. Wyddial is not on a bus route and the site can only be accessed by unpaved and unlit roads. These would not be conducive to cycling and walking resulting in reliance on private transport.

7. The appellant states that the scheme represents infilling, an exception included in Policy VILL3 and HD1 from the general presumption against such development. However, the site is located at the western edge of the curtilage of Home Farm which itself lies on the edge of Wyddial. For these reasons, it does not represent infilling to comply with Policies VILL3 and HD1.
8. Policy GBR2 includes exceptions to the general presumption against development in the rural areas. The appellant has referred to the fact that the scheme could support local housing needs and there is reference to the accommodation of members of the owner's family. A reference is included in his statement that the scheme would be a self-build project but insufficient details have been included with the appeal on this point to establish whether the intention is for the scheme to fall within the requirements of the Self Build and Custom Housebuilding Act 2015.
9. The scheme has been designed to appear as an agricultural building. It would have a smaller volume and footprint than the 2 existing buildings which it is designed to replace. The surrounding trees around the paddock and to the front of the site would ensure that its landscape impacts would be limited.
10. Whilst I am satisfied that the scheme would comply with Policy CFLR6 in respect of the retention of equine development and that its landscape impacts would be limited, the determining issue in this appeal is the site's location in respect of the Council's settlement strategy.
11. Development of the site for 2 dwellings would result in a form of development which is not on an infill site and is in a location away from shops and services. The lack of alternative modes of transport would result in future occupiers being dependant on private transport.
12. I am unaware of the details of the recent permission for a single house to which the appellant refers². I have considered the comments of the interested parties in favour of the scheme but these do not outweigh the considerations against it.
13. For the above reasons, I conclude that the proposed scheme conflicts with policies DPS2, GBR2, VILL3 and TRA1 of the East Herts Local Plan. Furthermore, the scheme is not infill development and is therefore not an exception included these policies and Policy HD1 of the Buntingford Community Area Neighbourhood Plan 2014-2031.
14. The appeal is dismissed.

Stephen Wilkinson

INSPECTOR

² 3/17/2229/FUL