



Appeal Decision

Site visit made on 5 November 2024

by Thomas Courtney BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd December 2024

Appeal Ref: APP/M1595/W/24/3341403

Siena, Robinson Road, Horndon on the Hill SS17 8PU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr Ford (Calahans Services UK Ltd) against the decision of Thurrock Council.
 - The application Ref is 23/01503/OUT.
 - The development proposed is the erection of two residential dwellings including parking, landscaping, drainage and associated infrastructure.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal relates to an application for outline planning permission with all matters reserved. Accordingly, I have determined the appeal on this basis.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the 'Framework') and development plan policy;
 - the effect of the proposal on the openness of the Green Belt;
 - if the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether inappropriate development

4. The appeal site lies within the Green Belt. Paragraph 154 of the Framework states that new development is inappropriate in the Green Belt unless it falls within the given list of exceptions. Under exception (e), limited infilling in villages would not be inappropriate development.
5. The site is located near to Horndon on the Hill, a small settlement featuring a high street with a village hall, public houses, bus stops and other amenities. The pattern of development is characterised by dwellings sited in relative proximity to one another along linear building lines slightly set back from the

highway. The streets within the settlement also feature pavements and street lighting.

6. The proposed dwellings would be sited on Robinson Road, which is a small road without pavements or streetlighting. The dwellings on Robinson Road vary in scale, style and position within their plots. The grain of development is less dense and uniform than in Horndon on the Hill, featuring larger plots and housing separated by agricultural fields, paddocks and vacant undeveloped land. Robinson Road therefore has the appearance and characteristics of a country lane. In light of this, I find that the appeal site is not located within a village.
7. The proposed dwellings would not be located further west than the dwellings on the opposite side of Robinson Road, or further north than neighbouring buildings. However, the site is bordered by open paddocks to the west, vacant land to the south and garden land to the north and east. There is no existing developed frontage. The proposed dwellings would therefore not be infilling a space between existing built form. Consequently, the proposal would not constitute limited infilling and would not be situated in a village.
8. I note that the appellant referred to a Green Belt Assessment report prepared for the Council by Peter Brett Associates. The appellant argues that the site makes no contribution to the purposes of the Green Belt. However, the report states that the site is located within a parcel of land where safeguarding the countryside from encroachment is deemed to be fundamental. It also highlights that the northern edges of Horndon on the Hill are characterised by suburban encroachment and fragmented rural/urban fringe landscapes. In my view, this emphasises the importance of maintaining the visual openness of the site. The proposal would be at odds with the fundamental aim of limiting encroachment.
9. On this basis, the proposal would represent inappropriate development in the Green Belt and would not accord with the exemption outlined at Paragraph 154(e) of the Framework. It would also conflict with Policies CSSP1, CSSP4, PMD2 and PMD6 of the Thurrock Local Plan¹ insofar as they seek to ensure that the Green Belt is preserved from inappropriate development and proposals respond to surrounding character. Although quoted in the decision notice, Policy CSTP1 is not directly relevant as relates to the Council's housing supply.

Openness

10. The site has been cleared of vegetation and features hardstanding, fencing and a gated entrance. There is also a mobile home, a storage container and construction materials being stored within the site. I have no evidence to suggest the development and uses that have occurred at the site are lawful and the Council states the site should be considered as agricultural or undeveloped Green Belt land.
11. Openness is identified in the Framework as one of the Green Belt's essential characteristics. It has been identified as being formed of both spatial and visual aspects. The erection of two detached dwellings would introduce built form on undeveloped land. Over time, it is likely that the garden areas could

¹ Thurrock Council, Local Development Framework, Core Strategy and Policies for Management of Development (as amended), adopted January 2015.

also include domestic paraphernalia such as sheds. The volume of development proposed would be considerable and would materially impact on openness in a spatial aspect resulting in moderate harm to the Green Belt.

12. In visual terms, the dwellings would be partially visible through the gaps of vegetation from the land to the west. Whilst screening along the western boundary could be increased, the dwellings would also be readily apparent from Robinson Road, especially to road users and pedestrians travelling westwards. The proposed buildings, although single storey, would visually erode the openness of the site.
13. For these reasons, the proposed development would result in an adverse impact on both the spatial and visual openness of the Green Belt resulting in moderate harm to the Green Belt.

Other considerations

14. The Framework highlights that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, with substantial weight given to any harm to the Green Belt. Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
15. In support of the appeal, my attention was drawn to development at land at Brentwood Road, Bulphan². However, I do not have the full details of this scheme and so cannot be certain that the circumstances are the same. The development referred to comprised 19 dwellings, which is not comparable in scale to the proposal. As such, limited weight is afforded to this consideration.
16. The proposal would provide new market housing with two 3-bed bungalow properties which are ideal for an ageing population. The dwellings would also meet Part M4(2) specialist accommodation standards. Furthermore, the occupiers of the dwellings would have the opportunity to support local business and the construction process would support the local economy. Whilst these are positive factors, the weight attributed to them is moderate owing to the small scale of the proposed development.
17. Although the elevation plans are indicative, the proposed dwellings would be well-designed with materials that would be compatible with the surrounding context. The development would also include energy efficiency measures and biodiversity enhancements. These considerations each attract a limited amount of weight in favour of the appeal.
18. The appellant opines that the site is in a highly sustainable location. However, given the walking times and distances to various amenities and facilities, and the limited public transport options, it seems most likely to me that most journeys from the two new houses would be by private vehicle. I am therefore not convinced about the site's sustainability credentials. Nevertheless, even if I were to find no harm to sustainability, this would be a neutral consideration with no weight either for or against the development.

² Planning application ref. 14/01406/OUT

Conclusion

19. The proposal would cause harm to the Green Belt by way of inappropriateness, as well as moderate harm to openness, and substantial weight must be given cumulatively to this harm. The other considerations advanced in this case do not clearly outweigh the substantial harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.
20. The Council is unable to demonstrate a five-year supply of deliverable housing sites. Therefore, paragraph 11 d) of the Framework is engaged. However, paragraph 11 d) i) states that there are circumstances where the application of policies in the Framework to protect areas or assets of particular importance provide a clear reason for refusing the proposal. Footnote 7 identifies the Green Belt as such an area and therefore the presumption in favour of sustainable development does not apply in this case.
21. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above, the appeal should be dismissed.

Thomas Courtney

INSPECTOR