



Appeal Decision

Site visit made on 20 January 2025

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th February 2025

Appeal Ref: APP/A1530/W/24/3345659

Land on the east side of Whitehouse Hill, Salcott CM9 8HP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr I Leaves Saltacre Limited against the decision of Colchester Borough Council.
 - The application Ref is 232381.
 - The development proposed is Full planning application for the erection of 1 No single-storey, wheelchair accessible holiday barn and ancillary outbuilding, on Land east of Whitehouse Hill, Salcott-cum-Virley.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was submitted, a revised National Planning Policy Framework (the Framework) has been published. This has not raised any new matters which are determinative to the outcome of this appeal.
3. Although the appellant considers the site is 'not within the open countryside', the Council have stated that the site is within the countryside and assessed the proposal against the relevant plan policies. Based on the Council's comments, I have no reason to come to an alternative view.

Main Issues

The main issues in respect of this appeal are:

- Whether the proposed development would be in a suitable location for holiday facilities; and
- The effect of the proposal upon the character and appearance of the local area.

Reasons

Suitability

4. The appeal site is currently an open and undeveloped piece of grassland in the Coastal Protection Belt, rectilinear in shape. It is adjacent to a small group of dwellings on the junction between The Street and Whitehouse Hill, known as Sharlands Row, which are entirely separate from the adjacent village of Salcott. This group of housing is located outside of the small settlement of Salcott to the west.

5. The appeal site is bordered by hedgerows and has a small area of hardstanding adjacent to the existing entrance which is partially occupied by some storage containers. Its largely verdant appearance is in keeping with the rural and open nature of the area and has a positive impact on the character and appearance of the surrounding area.
6. The appellant argues in favour of the proposal as they state there is an acute shortage of self-catering and inclusive holiday accommodation within the local area. This proposal would assist in boosting the offering of this type of tourism choice. I note they point to the broad aims of policy DM5 and OV2 of the local plan that supports tourism. Be that as it may, whilst these policies support tourism, nevertheless, this type of development requires a complete assessment against the development plan when taken as a whole.
7. Apart from a church, the settlement of Salcott offers no day to day amenities. It is around 9km from Colchester and 4.4km from the settlement of Tollesbury. These larger settlements offer more day to day amenities, services and facilities. There are no footpaths available to provide safe access to them via foot. The surrounding roads are also relatively busy with fast moving traffic at a speed limit of 60MPH and no streetlamps. As such, the future guests would largely be reliant on the use of a private vehicle to access the necessary services and facilities in other settlements.
8. A proposal in this location would not reduce the need for occupants to travel. There is a bus stop located in close proximity to the appeal site which is easily accessible by foot. This offers public buses running to Colchester and Tollesbury. However, these are relatively infrequent and only run for limited hours, particularly at the weekend. Therefore, this service could not be reliably used by guests of the proposal to access all the services and facilities they require on a day to day basis.
9. Wheelchair users may be less likely to use public transport according to the appellant. Nevertheless, the proposal is intended as a fully inclusive form of holiday accommodation and would be available to all.
10. Although the appellant argues that the use would be for a holiday let and not a residential dwelling, nevertheless, the proposal offers residential accommodation. Also, the appeal decision brought to my attention by the appellant relates to an existing barn and is not the same circumstances as the proposal before me and I apportion it limited weight. Also, whilst inclusive development is welcome, there is insufficient evidence before me to demonstrate that wheelchair accessible holiday accommodation is in short supply locally. I apportion little weight to this.
11. To conclude on this main issue, based on the location of the proposal and poor access to services and facilities to support this tourism use, the proposal would be contrary to the broad objectives of Local Plan Policies SP1, SP3, SG1, SG2 and OV2 that seeks to direct development to sustainable and accessible locations, as well as the same overarching objectives of the Framework.

Character and appearance

12. I understand that the proposal has been designed to reflect a rural character as a an agricultural range constructed from natural materials. The Council raises no objections to its design characteristics and there is no reason for me to come to an alternative view on the matter.
13. In terms of the neighbouring build form along Sharlands Row, there is a very tight residential curtilage to the existing residential dwellings and their domestic curtilage extends to the perimeter of the adjacent fields. There is no further domestic sprawl into the countryside beyond, This proposed development would be located further south than any of the existing built form here. It would not follow the prevailing pattern of residential development in this area which I do not agree with the appellant to be 'urbanised' in character. The proposed position of the range situated well into the site and away from the adjacent dwelling would be further disjointed from the build form and infringe on a currently undeveloped site.
14. Due to the size of the site, there would be a large area of space that could become highly domesticated with effects associated with residential use. The site is particularly visible from the road and surrounding viewpoints due to the patchy nature of the existing hedgerows. It would result in the loss of the open countryside arising from the addition of paraphernalia and hardstanding would therefore be visible within the street scene and from the surrounding area. This has the effect of the development creating further incursion into the countryside. The Framework at paragraph 187 informs of 'recognising the intrinsic character and beauty of the countryside'. Even with the appellant's commitment to extra planning around boundaries would not be sufficient to overcome the effects of development encroaching into the countryside.
15. The appellant has indicated that this is to be improved with additional planting which would obscure some of the appeal site from public view and the LVIA demonstrates such. However, views of the proposed development would still be visible above this hedging, even if the range would be low in height, and visible through the proposed entrance way where a large area of parking would be seen. Domestic paraphernalia including vehicles would not be sufficiently screened. The positive impact which the site currently has on the character and appearance of the area and the intrinsic character and beauty of the countryside would not be safeguarded.
16. Therefore, the proposal would not accord with local plan policies SP7, OV2, DM15 and ENV1 in their combined broad aims for development to respect character and appearance including within the countryside.

Balance and conclusion

17. The appellant considers the benefits of the proposal by including electric charging points, water harvesting measures, photovoltaics, biodiversity enhancements. It would support the local rural economy and encourage rural tourism in a setting where guests would experience a rural outlook. Considering these benefits, some measures would reduce the carbon emission levels of the proposal although there is no substantive evidence before me relating to the impact on the environment that would arise. There would be local spend from guests and short-term financial gain from the construction process. Whilst rural tourism is supported through policy, and whether or not this proposal would have an impact on the Coastal Protection Belt,

the proposal shall be accessed against the development plan as a whole. All things considered, there is nothing before me to persuade me in favour of the development.

18. I have considered all matters that have been raised and conclude that the proposal would conflict with the development plan as a whole and there are no other material considerations which lead me to determine the appeal otherwise than in accordance with it. Therefore, for the reasons given, the appeal is dismissed.

Alison Scott

INSPECTOR