



Appeal Decision

Site visit made on 1 April 2025

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 April 2025

Appeal Ref: APP/X1545/W/24/3351088

Venn Farm, Tudwick Road, Tolleshunt D'arcy, Essex CO5 0SD

- 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 Brian Griffiths (bgdesigns) against the decision of Maldon District Council.
 - The application Ref is FUL/MAL/24/00101.
 - The development proposed is a 2 bedroom chalet bungalow
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the site address provided within the application form in the banner heading above.
3. The National Planning Policy Framework (the Framework) was updated on 12 December 2024. However, the sections pertinent to this appeal have not changed to such an extent as to affect the matters raised by the main parties. It has not therefore been necessary to seek their views, and the revised version has been taken into account in this decision.

Main Issues

4. The main issues are:
 - whether the proposal would be in a suitable location for housing, having regard to the development strategy for the area and access to services and facilities; and
 - the effect of the proposed development on the character and appearance of the area.

Reasons

Suitability of location

5. The appeal site lies within the countryside for the purposes of planning policy. Policy S8 of the Maldon District Approved Local Development Plan 2014 – 2029 (2017) (the LDP) sets out the settlement hierarchy for the District. Sustainable development within defined settlement boundaries is supported. Outside settlement boundaries development is restricted to a number of categories and it includes, at m), development which complies with other policies of the LDP.

6. LDP Policy T2 states that development proposals should, where relevant to the development involved, provide safe and direct walking and cycling routes to nearby services, facilities and public transport where appropriate.
7. The appeal site is removed from the nearest settlements, and I have not been made aware of any public transport options close to the appeal site, with the nearest bus stop being located at approximately 1.5km from the site.
8. Tudwick Road is a relatively narrow lane subject to the national speed limit. It does not have a separate footpath, nor street lighting. While there is a Public Right of Way nearby leading to Tiptree, a larger village which contains services, facilities and employment opportunities, this would be reached via Tudwick Road and users would have to travel across a number of agricultural fields to reach Tiptree.
9. Given the character and nature of the pedestrian routes, it is unlikely that walking to services and facilities would be a realistic option for future occupants of the proposal, particularly during the winter months, due to the weather and shorter days. Although the dwelling would be provided with cycle storage, cycling from the appeal site would likely be restricted to confident adults used to rural roads. As such, it is unlikely that future residents would walk or cycle as a matter of routine.
10. While the site is not isolated given the presence of existing dwellings nearby, future residents would likely rely on the private car to access regular requirements such as schools, employment or shops due to the absence of public transport options and of attractive walking and cycling routes in the vicinity. Consequently, the likelihood of journeys using sustainable modes of transport would be significantly reduced. The journey to the nearest settlement by road would be relatively short but nevertheless this would not make the proposal acceptable.
11. Consequently, the proposal would not be in a suitable location for housing, having regard to the development strategy for the area and access to services and facilities. The proposal would conflict with LDP Policies S1, S8 and T2. These policies seek, amongst other things, to deliver housing growth in the most sustainable locations, minimise the need to travel and where travel is necessary, and prioritise sustainable modes of transport.

Character and appearance

12. The site is part of a large open field at Venn Farm and is adjacent to the driveway that serves the farm. The site is set behind a grass verge and its front boundary is marked by post and rail fencing and a tree. Together with surrounding agricultural land, the site contributes to the verdant, open and rural character and appearance of the countryside in this area.
13. The site bookends a small ribbon of development along Tudwick Road. The pattern of development in the road is informal and generally characterised by detached bungalows and chalet bungalows of different designs which are accommodated in plots of varying sizes and shapes.
14. The proposal would alter the site from an open field to a residential plot, thereby urbanising the site and changing its character to residential. However, the proposal would effectively form a continuation of the existing ribbon of development along this side of Tudwick Road. Given the varied plots in the vicinity, the proposed plot would not appear at odds with the surrounding pattern of development.

15. Access into the dwelling would be gained from the existing driveway serving Venn Farm, which would reduce the amount of hardstanding associated with the proposed development. The proposed block plan shows the areas of hardstanding within the plot would be modest and restricted to the space associated with parking and turning purposes.
16. The dwelling would have suitable space towards the plot's boundaries and its form, height and overall scale would therefore sit comfortably within its context. The design of the dwelling would contribute to the variety within the street scene in a positive manner. Given these factors, while visible from public vantage points, the development would assimilate well with its surroundings and would essentially be appreciated as a logical rounding off to the ribbon of development. As such, the proposal would not be uncharacteristic of its receiving context, nor would it unduly intensify the urban appearance of the locale.
17. For these reasons, the proposal would not have a harmful effect on the character and appearance of the area, in accordance with LDP Policies S8, D1 and H4. Among other things, these policies support development that respects the character and local context, is design-led and seeks to optimise the use of land.

Planning Balance

18. The evidence indicates that the Council can demonstrate a 5 year supply of deliverable housing sites, which is not disputed by the appellant. Even so, the proposed development would contribute to the Council's housing stock and would meet the government's objective of boosting the supply of housing. The site is a small one, so it could be built out relatively quickly and the proposal would support the vitality of the rural community. However, given that the scheme is for one dwelling, these benefits attract limited weight in favour of the proposal and do not outweigh the harm that I have identified in terms of unsuitable location.

Conclusion

19. 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. For the reasons given above the appeal should be dismissed.

P Terceiro

INSPECTOR