



Appeal Decision

Site visit made on 16 July 2025

by **H Marriott MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6th August 2025

Appeal Ref: APP/V1505/W/25/3360550

Glen Innes, Ramsden Park Road, Ramsden Bellhouse, Billericay, Essex CM11 1NS

- 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 Ryan Carnaby against the decision of Basildon Borough Council.
 - The application Ref is 24/01290/FULL.
 - The development proposed is described as 'change of use of outbuilding together with the addition of new fenestration to flexible class E local business hub with uses defined as per the submitted schedule'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development referred to in the banner heading above is taken from the application form. The application form and submitted schedule confirm that the proposed uses applied for include commercial, business and services uses under Class E(a), E(c), E(d), E(e), E(g), learning and non-residential institutions under Class F.1(a) and storage and distribution uses under Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (the Use Classes Order). I have had regard to the uses specified in the determination of this appeal.
3. The appeal site is located in the Green Belt. The Council's delegated report considers the proposed development to meet paragraph 154 h) iv. of the National Planning Policy Framework (the Framework), which states that development is not inappropriate development in the Green Belt if it is for the re-use of a building that is of permanent and substantial construction. I find no reason to reach a different conclusion in this regard and the main issues are defined on the basis of the Council's reasons for refusal.

Main Issue

4. The main issue is whether or not the proposed development would be suitably located within the settlement of Ramsden Bellhouse, having regard to the need to apply the sequential test for main town centre uses, site accessibility and the effect of the proposed uses and the associated activities on the character of the area.

Reasons

5. Ramsden Bellhouse is characterised by low-density residential development set within large plots. It is identified as a serviced village with some public transport accessibility in the Basildon Borough Council Initial Settlement Hierarchy Review (2024). Whilst it is identified as being partly dependant on larger settlements to

access a larger range of services and facilities, the Review also identifies Ramsden Bellhouse as having the potential to increase its range of facilities and services.

6. The Council's decision refers to Policy BAS SH1 of the Basildon Local Plan Saved Policies Document (2007) (LP) which seeks to concentrate new retail development to within town centres. The uses proposed are not limited to retail and this policy also pre-dates the amendment to the Use Classes Order in 2020¹. Even so, this policy generally complies with Paragraphs 90-91 of the Framework which seek to apply a sequential test to planning applications for main town centre uses. However, Paragraph 93 of the Framework also advises that this sequential approach should not be applied to applications for small scale rural offices or other small scale rural development.
7. The precise mix of uses proposed within the seven commercial units is unknown. Indeed, the appellant has listed a range of potential uses including space for offices, therapy, tutoring, storage, financial advice, hairdressing, beauty, tanning, nails or light industry uses such as jewellery manufacturing. Despite the varied contribution that each use would make to providing a facility or service to the village, the proposal would nevertheless constitute a small-scale rural development. The sequential test is not therefore required, and the proposed development might be acceptable in this location dependant on its site-specific impacts.
8. Ramsden Park Road is a narrow road without footways. It is predominantly fronted on both sides by detached dwellings, each set back behind similarly sized front gardens and/or parking areas. There is a notable regularity in frontage widths and spacing between dwellings. Despite the variety of house types, these shared characteristics create a distinctive sense of order and consistency in the street scene, which reflects the residential character of the area.
9. Glenn Innes is a detached bungalow with a driveway and parking area located to the front and a narrow side access leading to outbuildings and a swimming pool², primarily used for swimming lessons, at the rear. This rear area includes associated parking and vehicle circulation space. Aside from a sign at the site frontage advertising the swimming pool and the vehicle movements associated with that use, Glenn Innes retains an overriding residential character and appearance and sits comfortably in the street scene.
10. Given the speculative nature of the proposed uses, staff and customers/client numbers could fluctuate dependant of the final mix of uses. Additionally, the proposed development has the potential to attract customers from outside of Ramsden Bellhouse. Whilst customers could link trips with the swimming pool and the proposal has the potential to reduce the need for staff and customers of the units to travel a greater distance to similar facilities and services located within larger nearby settlements, this cannot be guaranteed.
11. Due to the lack of footways and limited public transport options, the majority of staff and customers/clients would likely access the appeal site by private vehicle. Despite the limited floorspace, if each of the seven units were to be occupied individually by a single operator, the resultant unrelated traffic movements could result in a significant increase in comings and goings to and from the appeal site, beyond those currently associated with the dwelling and swimming pool. Such

¹ Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

² Appeal ref: APP/V1505/W/16/3161760

movements would be particularly apparent due to the requirement for drivers to navigate the narrow route to the parking area at the rear of the appeal site, including manoeuvring in and out of informal passing places along Ramsden Park Road and waiting for oncoming vehicle to pass, as required. Even if the building were occupied for a single use, this could still be problematic. For example, use of the entire building for Use Class B8 (storage and distribution) in particular, could generate a significant increase in traffic movements.

12. Overall, I am concerned that the proposed development, with seven separate units, has the potential to significantly increase commercial activity on the appeal site. I acknowledge that no concerns have been raised by the Local Highways Authority on highway safety grounds. However, I am not satisfied that the proposal would equate to sustainable growth of businesses in a rural area in accordance with Paragraph 88 of the Framework given that the appeal site is located away from the parts of the village served by footways and is not therefore physically well-related to it. The proposal would therefore result in high car dependency contrary to Chapter 8 of the Framework which advocates the creation of places that promote social interaction and encourage walking and cycling, thereby helping to provide inclusive and safe places which support healthy lifestyles.
13. Furthermore, the Environmental Health team has raised no objection to the proposal from a statutory noise nuisance perspective, subject to the imposition of conditions relating to plant and hours of operation. Even so, the associated vehicle movement and resultant levels of activity, would likely be excessive within the rear garden environment and has the potential to be highly perceptible to other residents on Ramsden Park Road, unacceptably detracting from the area's residential character. I have not been provided with a set of conditions that gives me confidence that the proposal could be adequately controlled such as to not result in excessive movements and activity within a residential area.
14. I conclude that the proposed development would be not suitably located within the settlement of Ramsden Bellhouse, having regard to site accessibility and the effect of the proposed uses and the associated activities on the character of the area. Whilst I find no conflict with Policy BAS SH1 of the LP for the reasons described, there is conflict with Policy BAS BE12 of the LP which whilst referring to existing dwellings rather than explicitly to their outbuildings, requires any alteration to be refused if it causes material harm to the character of the surrounding area. In relation to the light industrial, storage and office uses proposed, it would also conflict with Policy BAS E10 of the LP which states that developments should relate to the primary road network without using residential estate roads.
15. The appellant contends that the above policies are out of date. It is noted that these policies pre-date the amendment to the Use Classes Order in 2020. Even so, these policies remain part of the adopted development plan and generally conform with Section 12 of the Framework insofar as it requires developments to create places with a high standard of amenity for existing users and to be sympathetic to local character. As such, I had regard to them and there would also be conflict with the Framework as identified in these respects.
16. The Council's decision also refers to Policy BAS BE13 of the LP. However, this policy refers to new residential development within the settlement of Ramsden Bellhouse. Whilst this policy is not applicable, this does not diminish the conflict with the other identified policies and the Framework.

Other Considerations

17. The proposal would re-use an existing building and has the potential to constitute a small-scale rural development and would create jobs (around 12 full time equivalent posts) to support economic growth. Notwithstanding my concerns in relation to the speculative nature and array of potential uses proposed, the proposal could deliver additional local services and facilities within Ramsden Bellhouse. Taking all of the benefits of the appeal proposal into account and given that only seven small units would be provided, I afford them no more than moderate weight in favour of approval.
18. The appellant suggests that the appeal building is in need of refurbishment and investment. However, there is no reason why this could not occur without the harm identified in respect of the main issues that the current proposal would cause. Accordingly, I afford limited weight to this matter.
19. The effect of the proposal on privacy, odour, parking provision, bin storage are also not matters in dispute between the main parties. The successful operation of the swimming pool by a local family is also noted. However, these considerations indicate the absence of harm in those respects rather than any benefit of the proposal.

Planning Balance

20. Overall, the appeal site is not suitably located with regard to site accessibility and combined with my concerns in relation to the character of the area, the harm would be significant and the related policy conflicts weigh substantially against the appeal proposal. The appeal proposal would deliver a range of benefits most notably to the local economy. However, in the particular circumstances of the case, the moderate weight to the collective benefits do not outweigh the substantial harm identified including the related policy conflict.

Conclusion

21. The proposal conflicts with the development plan and the material considerations, including the provisions of the Framework, 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.

H Marriott

INSPECTOR