



Appeal Decision

Site visit made on 30 September 2025

by **N Bowden BA(Hons) Dip TP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 OCTOBER 2025

Appeal Ref: APP/J1915/W/24/3353927

Arcadia, Ermine Street, Buntingford, Hertfordshire SG9 9RT

- 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 Ian Gray against the decision of East Hertfordshire District Council.
 - The application Ref is 3/24/1114/FUL.
 - The development proposed is the demolition of dilapidated barn and development of 1no. two-storey new build dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's fifth reason for refusal related to the development not having demonstrated a need for a new rural workers dwelling. However, the appellant has clarified that they are not seeking a rural workers dwelling and I note that this was not featured in the description of development on the application form. Accordingly, I have weighed the circumstances of the appellant into the overall planning balance, set out below, but have not treated the proposal as being for a rural workers dwelling.

Main Issues

3. The main issues are:
 - 1) the effect of the proposed development on the character and appearance of the area,
 - 2) whether the proposed development is in a suitable location having regard to its access to services and facilities via sustainable modes of transport,
 - 3) whether the proposed development would provide satisfactory living conditions for the future occupants, and
 - 4) whether the design of the dwelling demonstrates sufficient sustainability credentials.

Reasons

Character and appearance

4. The appeal site is located to the north of the town of Buntingford. It is set within an area designated as Rural Area Beyond the Green Belt wherein policy GBR2 of the East Herts District Plan 2018 (EHDP) applies. The policy explains that in order to

maintain these areas as a valued countryside resource, only certain types of development will be permitted, provided that they are compatible with the character and appearance of the rural area. These include (inter alia) the replacement, extension or alteration of a building, provided the size, scale, mass, form, siting, design and materials of construction are appropriate to the character, appearance and setting of the site and/or surrounding areas, infilling or the partial or complete redevelopment of previously developed sites or rural exception housing.

5. The proposal would replace or displace (as the new home is not on the same footprint or in the same use), an existing ramshackle barn. This barn is clearly in a severe state of disrepair to the extent that it is unlikely to be a viable structure in the longer term. It does, however, fit in with the rural landscape due to its low profile and weathered appearance. The new dwelling would be a barn styled home with an acceptable design and appearance in its own right. However, it would sit near the centre of what is at present, a largely undeveloped and open field beyond where the final developed vestiges of Buntingford conclude. It would be accessed by a long drive and be highly visible on the entrance/exit to the town.
6. Despite its rurally themed design and relatively modest size, the proposal would introduce an urbanising form of residential development in this sensitive urban/rural fringe location. This is not aided by its location near the centre of the field meaning it would stand out as a separate building in this exposed location. When considering likely domestic accoutrements including the driveway, garden area, fencing and the like, the development would result in an urbanising effect on this open field.
7. Due to this position and the effects on the landscape and countryside character, it would represent the introduction of an urban form of residential development in the open countryside. This would be harmful to the character and appearance of the area insofar as it would be incompatible with the rural area by removing a pleasing area of open countryside. This is contrary to policy GBR2, DES2 and DES4 of the EHDP as it would represent an erosion of the countryside character contrary to the strategic vision of maintaining the valued countryside resource.

Suitability of location

8. The site is set near to the town of Buntingford and the appellant nominates the distance to the settlement boundary is 370 metres. I have no reason to disagree with this. However, this is only to the settlement boundary, and, with the limited exceptions of a few small businesses, the town centre and most services and facilities are set a greater distance away. The Council estimates around 1.4Km or 19 minutes walking distance and again, I have no reason to disagree.
9. Nevertheless, there is a distinct proximity here and there are clearly local facilities in a reasonable walking or cycling distance. The road is not heavily trafficked and subject to traffic calming measures. There is a pedestrian footway along Ermine Street that leads to Buntingford albeit that this is not street lit along much of its length until reaching the edge of the town.
10. The footpath is a separated pedestrian footway which appears to be well maintained and clear of passing vehicle traffic. Given its separation from the main carriageway, I would expect it could be used safely, even in hours of darkness. Indeed, the site is not far removed from recent housing developments which were considered to be in a sustainable location. Indeed, the distance between these new

developments and the site is relatively small. Inspectors in relation to the nearby cited appeals¹ were satisfied that these locations were in acceptable locations due to the proximity to Buntingford and, aside from a slightly greater distance in this instance, and an immediate lack of street lighting around the site, there are no significant differences in location or substantive reasons to disagree with the previous Inspectors assessments.

11. I do appreciate the Council's concerns regarding the lack of street lighting and distance to the other recent appeal decisions in the area. However, I have found these to be sufficiently close such that there is a degree of comparison, particularly given that the Framework sets out, at paragraph 110, that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making. I do accept that this location is not the most sustainable of locations given the modest availability of services in Buntingford and sparse public transport options. But even so, it is far from being a remote or isolated location.
12. Therefore, despite the lack of street lighting immediately around the site, I find that the proximity of the site to the built-up area of Buntingford which has a reasonable range of services and facilities and that this can be accessed by way of a dedicated footpath, means that the site is in a suitable location for a new dwelling. I therefore conclude that the proposal complies with policies DPS2, GBR2 and TRA1 of the EHDP and policy HD1 of the Buntingford Community Area Neighbourhood Plan.

Living conditions

13. The dwelling is designed with the upper floor accommodation partially set under the slope of the roof. As a result, the upper floor rooms are only served by roof lights. Whilst these may not allow direct outward vantage or views, there is no shortage of them and with internal doors open, would allow for cross ventilation. Moreover, they would provide sufficient natural light for the occupants. The lack of direct outlook does not mean that the occupants would be deprived of satisfactory living conditions.
14. Accordingly, I am unable to find that this arrangement would provide substandard living conditions for the future occupants as they would have adequate access to natural light and ventilation. I therefore conclude that the proposal accords with policy DES4 of the EHDP in that it is of a high standard of design.

Sustainability considerations

15. The application was submitted with generalised details of sustainability measures which are lacking in clarity relating to this proposal. I accept the Council's concerns in this regard as the information provided was not detailed or specific. Even so, the appellant has made a clear intention to deliver these sustainability measures and, were the appeal to be allowed, such matters could be secured through the use of planning conditions. This is particularly the case as the proposal is a new dwelling with ample space around and within it to incorporate such features. Thus, having regard to the Planning Practice Guidance and paragraph 56 of the Framework, I am satisfied that these could be secured through the use of planning conditions were permission to be granted. Thus, I find the proposal could comply with policies CC1 and CC2 of the EHDP.

¹ APP/J1915/W/19/3226396, APP/J1915/W/19/3230519 & APP/J1915/W/24/3340497

Planning Balance and Conclusion

16. The Council accepts that it cannot demonstrate a five-year supply of deliverable housing land with this figure being nominated as falling between 4.20 and 4.72 years. Having regard to paragraph 11 d) ii. of the Framework this means approving development proposals unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits including securing well-designed places.
17. In this case, the proposal is in a suitable location because of its proximity to Buntingford. I have also concluded that the design of the proposal would provide satisfactory living conditions for the future occupants and, with conditions, could be of a sustainable design standard.
18. Nevertheless, the dwelling would be set towards the centre of a largely undeveloped field. It would seriously erode the character of the area due to its prominent position and would undermine the objectives of the EHDP of keeping rural areas of the District as valued countryside resource, particularly in this sensitive location.
19. I have also factored in the other benefits of the proposal, in that it is a modestly sized and well-designed dwelling that would offer a home to a person who works in local rural industry. Although the appellant has not made great reference to the proposal being Self Build and Custom Housebuilding, I have been mindful that it could form this type of development. This has been factored into my reasoning.
20. These benefits, and other neutral considerations, do, however, not tip the balance in favour of granting permission for this scheme given the effect of the proposal on the countryside character. As a result, the provisions of 11 d) ii. of the Framework are not engaged and the presumption in favour of granting planning permission does not apply.
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.

N Bowden

INSPECTOR