



Appeal Decision

Site visit made on 3 October 2025

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2025

Appeal Ref: APP/V1505/W/25/3367020

Land West of Beam End Cottage, London Road, Crays Hill, Billericay, Essex

- 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 Matthew Firth of Granville Global against the decision of Basildon Borough Council.
 - The application Ref is 24/00677/OUT.
 - The development proposed is the erection of up to 9 No. dwellings and garages.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application was submitted in outline with all matters reserved for future consideration. Therefore, insofar as the access, appearance, landscaping, layout and scale of the proposed development are shown on the submitted drawings, I have treated those matters as indicative and representing one option for developing the appeal site for up to 9 dwellings and garages.

Main Issues

3. The main issues in this appeal are: (i) the effect of the proposed development on the character and appearance of the area, and (ii) whether the appeal site is grey belt land and whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework ("the Framework").

Reasons

Character and appearance.

4. The appeal site is part of a large field with a frontage to London Road that forms a significant gap between residential properties to the east and west. It is the widest of several such gaps amongst the sporadic pattern of buildings on the north side of this section of London Road that allow the extensive rural landscape of spacious fields to the north of Crays Hill to extend up to the edge of London Road.
5. Being devoid of built development the appeal site contributes positively to the sporadic, loose-knit pattern of development on the edge of the settlement and to its rural setting at the interface with the countryside. The scale and spaciousness of the appeal site allow panoramic views of the attractive rural landscape to the north to be obtained across it from London Road and the Public Right of Way (PRoW) along its western boundary. Views from London Road tend to be elevated as the

land slopes down to the river, including relatively direct angle views across parts of the spacious parcel of land on the opposite side of the road. In those views, the eye is drawn across the attractive scenic rural landscape and towards the distant ridge of the hillside beyond the river in a very wide vista that includes the appeal site and the expansive fields in the foreground. As such, the appeal site allows impressive views of the landscape and scenic beauty of the countryside to be experienced from within the settlement.

6. For those reasons the appeal site makes a significantly positive contribution to the character and appearance of the area. Although I am not aware of the countryside to the north of the road being subject to any statutory protections or designations, it is nonetheless an attractive and scenic landscape. Decisions on planning applications should recognise the intrinsic character and beauty of the countryside, in accordance with Framework paragraph 187.b).
7. In having regard to the submitted indicative drawings, the built form of the proposed development would be clearly visible in a range of public viewpoints along London Road and the PRoW in the vicinity of the appeal site. The urbanising effect of the proposed development would significantly erode the spaciouly rural landscape character of the appeal site and its positive contribution to the sporadic loose-knit pattern of development in this part of the settlement and its rural setting.
8. The proposed development would intrude into the foreground of those long-distance panoramic views out of the settlement and obscure the experience of the attractive scenic rural landscape. The appeal development's degree of intrusion into those views and the urbanisation of the appeal site would result in a high degree of harm to the character and appearance of the area, even accounting for the softening effect of retaining existing planting and providing new planting.
9. There would be flexibility through the reserved matters to advance alternative layouts and smaller buildings, and to landscape the site to soften the appearance of the development. A reserved matters scheme could ensure the appearances of the proposed dwellings reflect those in the area and that they are laid out to reflect the linear pattern of buildings within the settlement. However, no alternative indicative details are before me in this appeal, and in having regard to those that are, I am not satisfied that the harmful effects that I have described above from the amount of development proposed could be designed out or satisfactorily mitigated at the reserved matters stage.
10. Consequently, the appeal development would harm the character and appearance of the area, contrary to Policy BAS BE12(i) of the Basildon District Local Plan Saved Policies September 2007, insofar as it requires residential development to avoid harm to the character of the surrounding area. For the same reasons it would be contrary to Framework paragraph 135.c) insofar as developments should be sympathetic to local character including landscape setting.

Whether inappropriate development in the Green Belt

11. The development of homes in the Green Belt should not be regarded as inappropriate development where all the criteria in Framework paragraph 155 applies. This includes whether the development would utilise grey belt land and would not fundamentally undermine the purposes taken together of the remaining Green Belt across the area of the plan.

12. The Framework's glossary defines grey belt as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b) or (d) in Framework paragraph 143. I share the Council's judgement that the appeal land does not contribute strongly to Green Belt purposes (a) or (d). Having regard to the Council's Habitats Regulations Assessment, the proposed development's likely significant effects on the Blackwater Estuary Special Protection Area would be adequately mitigated and would not provide a strong reason for refusing or restricting the development.
13. In terms of purpose (b) of the Green Belt I have had regard to the extracts from the Basildon Green Belt Study (BGBS), which identified the appeal site as part of a sizeable parcel of land (Parcel CH3), encompassing agricultural fields to the north of Crays Hill. It is one of several such parcels that create what the BGBS states is "a wide gap" between Wickford and Billericay, which if released for the expansion of Crays Hill, would significantly reduce that gap resulting in a high level of harm to the Green Belt purpose of preventing those towns merging.
14. It is unclear how much of the land in Parcel CH3 was assessed as being released for development in the BGBS. Nonetheless, even if I was to agree with the findings of the BGBS that are before me, it appears to be a strategic scale assessment of the effects of releasing sizeable land parcels as opposed to the specific effects of the appeal development on the Green Belt.
15. Even though the appeal site is open and free of built form, it forms a very small proportion of Parcel CH3, and is set at the parcel's edge, close to the road and not far from existing dwellings. It forms an even smaller proportion of the several parcels of land between Wickford and Billericay. For the most part it extends no further into the parcel from London Road than the existing residential properties to the east. The BGBS identified those dwellings on the north side of London Road as being too small in scale to have a significant impact on Green Belt openness.
16. When considered in relation to the spatial locations of Wickford and Billericay and the extent of the land between them, the appeal site's small size and closeness to the road and nearby dwellings, means that its contribution to the separation of those towns is weak at best. Therefore, the appeal site does not make a strong contribution to the Green Belt purpose of preventing those neighbouring towns merging into one another. In reaching that judgement I give far greater weight to my site-specific assessment than the strategic focus of the Council's BGBS. Relative to the extent of Green Belt across Basildon as indicated by the BGBS, the purposes of the remaining Green Belt would not be fundamentally undermined.
17. Consequently, the appeal development would utilise grey belt land. There is a demonstrable unmet need for housing within Basildon Borough for the purposes of Framework Paragraph 155.b. The nearby primary school and the shop in Crays Hill would contribute to meeting the basic day-to-day needs of future occupiers of the proposed development. They would be readily accessible by cycling or walking, including along the roadside footpaths that adjoin the appeal site, which have street lighting for the most part. Those forms of travel could be prioritised for those journeys by a good number of future occupiers of the development.
18. Those occupiers would likely need to access larger settlements to meet some of their needs, such as secondary education and employment. However, the travel distances to nearby settlements would be relatively short. Bus services to and from

larger settlements can be accessed from nearby bus stops, providing opportunities to prioritise a good number of journeys by public transport taking account the type of development and its location. The development is not significant in scale, and I have had regard to Framework paragraph 110. Crays Hill appears to be located within a generally rural area where opportunities to maximise sustainable transport solutions will be different to urban locations.

19. For the above reasons the proposed development would be in a sustainable location having regard to the accessibility of services and facilities. I share the views of the Council and the Local Highways Authority that no significant impacts on the transport network or harm to highway safety would arise.
20. All relevant criteria in Framework paragraph 155 would therefore apply. The appeal development would utilise grey belt land and should not be regarded as inappropriate development in the Green Belt. Consequently, it is unnecessary for me to consider the appeal proposal against the exceptions in Framework Paragraph 154 as it would not alter that conclusion, nor is it necessary for me to assess its effect on openness.

Other Matters

21. The evidence indicates a current housing land supply of some 1.88 years, which is a very significant shortfall against the 5-year requirement. The latest Housing Delivery Test results show that only 35% of the housing requirement was delivered in Basildon between 2021-2023. There is nothing before me to indicate that a marked improvement to that situation would be likely in the foreseeable future. In that context the appeal development would make a modest but nonetheless valuable contribution to housing supply.
22. Construction and occupation of the proposed development would bring short term and lasting economic benefits to the area. Future occupiers would support services and facilities in the area, and contribute to community vitality and taxation receipts. Nature and biodiversity would be positively enhanced. Energy and water could be used efficiently, including on-site generation from renewable sources, helping reduce carbon dioxide emissions below building regulations standards. Nearby bus stops could be improved to benefit the wider community. Any contamination of the site could be remediated through the development.
23. The appeal site was one of several land parcels at Crays Hill that were proposed to be allocated for housing development in the emerging Basildon Borough Local Plan 2014-2034. However, as the plan was withdrawn before going through its examination it is a matter of limited weight in my consideration of this appeal, which I have assessed on a site-specific basis. Allocating sites through the local plan involves assessing the relative benefits and disbenefits of various potential development sites and it is materially different to the development management process. Whether the appeal site would be included in a future local plan is likely to involve such an assessment and is a matter for the Council and an examining Inspector. An absence of harm to the Green Belt is a neutral factor that does not weigh in favour nor against the appeal development.
24. In this instance, given the importance that I have placed on the appeal site's contribution to the character and appearance of the area, I attach substantial weight to the harm that I have identified in my first main issue. It brings the

- development into conflict with Saved Policy BAS BE12 and the development plan when read as a whole. The development's benefits do not outweigh that conflict.
25. Due to the Council's land supply position, Framework Paragraph 11.d)ii, and the so called 'tilted balance' applies. In that scenario planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, including specific key policies.
26. On the benefits side of the balance, the appeal proposal would make a valuable contribution to increasing the supply of housing in a reasonably accessible location. It would accord with the Framework's support for making effective use of under-utilised land and for developing windfall housing sites, including of a scale likely to be built out quickly and suitable for small and medium enterprise builders. It would deliver cumulative economic, social and environmental benefits.
27. On the negative side, for the reasons given above the appeal development would conflict with Framework Paragraph 135.c). I am not satisfied that those lasting harmful effects could be avoided or satisfactorily designed out through its detailed design at the reserved matters stage. Consequently, it would not achieve the Framework's expectation for development to be well designed or the creation of high quality places. They are fundamental to what the planning and development process should achieve and a key aspect of sustainable development. The Framework is clear that development not well designed should be refused.
28. Framework paragraph 73, states that great weight should be given to the benefits of using suitable sites in settlements for homes. In my judgement the harm to the character and appearance of the area would not make the appeal site suitable for the proposed development in that regard. Nonetheless, the cumulative benefits of the appeal scheme would, particularly given the extent of the housing shortfall, be valuable and they carry weight of a high order in its favour.
29. However, when assessed against those policies of the Framework, the appeal development's harm to the character and appearance of the area is a determinative matter in this appeal and therefore carries substantial weight against it. Consequently, for the reasons given above, the adverse impacts of the proposed development on the character and appearance of the area significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Therefore, the Framework's presumption in favour of sustainable development does not apply in this instance.

Conclusion

30. For the reasons given above the proposed development would be contrary to the development plan when read as a whole. The material considerations including the benefits of the proposed development and the provisions of the Framework are insufficient to outweigh that conflict. Therefore, I conclude that the proposed development is unacceptable, and the appeal should be dismissed.

G Sylvester

INSPECTOR