
Appeal Decision

Site visit made on 16 December 2025

by **E Dade BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9th January 2026

Appeal Ref: APP/C1570/W/25/3373725

Field House, Berden, Essex CM23 1AD

- 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 Nick Hagger against the decision of Uttlesford District Council.
 - The application Ref is UTT/25/1847/FUL.
 - The development proposed is conversion and extension of existing building into one dwelling.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Nick Hagger against the decision of Uttlesford District Council. This application is the subject of a separate decision.

Preliminary Matters

3. On 16 December 2025, government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. It has therefore not been necessary to consult the parties on the proposed changes, and in my decision, I have had regard to the Framework published in December 2024.

Main Issue

4. The main issue in this appeal is whether the proposed development would be in a suitable location, having regard to the local development strategy.

Reasons

5. The appeal site comprises a detached garage building within the garden of existing dwelling, Field House. The host property's plot is surrounded by agricultural land and is physically separate from any settlement. The site is therefore within a rural, countryside location.
6. Policy GEN1(e) of the Uttlesford Local Plan 2005 (ULP) requires development encourage movement by means other than driving a car. As explained at paragraph 3.5 of the ULP, this supports plan objectives to locate high trip generating activity in areas which are well-served by public transport; increase the proportion of journeys made by rail and bus, on foot and by cycle; reduce the number and length of motor vehicle trips by the location of development; and to minimise the adverse effects of traffic on residential and shopping areas.

7. The site is a moderate distance from the villages of Berden and Clavering. Berden has bus stops and a village hall, and Clavering village provides a shop, post office, pub, and primary school, thereby offering a small range of services.
8. However, the site is served by a winding, rural road which is subject to the national speed limit. There are no footways, cycle infrastructure, street lighting, or nearby bus stops. Therefore, the site would not offer a safe and convenient route for walking or cycling nor public transport access to facilities at either village.
9. Furthermore, due to the limited facilities at nearby villages, occupants of the proposed dwelling would generally need to travel to settlements further afield to access services. Therefore, future occupants would be reliant on travel by a private vehicle to meet their day-to-day needs. Consequently, future occupants would experience poor accessibility and would have limited travel choice.
10. The proposed development would be small in scale, comprising a two-bedroom dwelling, and the proposal illustrates the modest number of daily vehicular trips would have a negligible impact on the local road network. In addition, the provision of an electric vehicle charging point would support a reduction in emissions associated with vehicles. However, this would not negate the lack of travel choice and car dependency which future occupants would experience.
11. The proposal seeks to provide secure, covered cycle storage and a Travel Information Pack to first occupiers. However, due to the absence of suitable infrastructure for walking and cycling or public transport services, these measures would not meaningfully increase travel choice.
12. The appellant asserts that the proposal is not comparable to other cited proposals for new development in the area. However, the ULP's policies which manage patterns of growth also apply to the conversion of existing buildings.
13. As set out above, the proposed dwelling would be reliant on travel by private vehicle and would not offer travel choice. For these reasons, the proposal would fail to encourage movement by means other than by private car and would thus conflict with ULP Policy GEN1(e). Therefore, having regard to the local development strategy, the development would not be in a suitable location.

Other Matters

14. Whilst I have not been provided full details of the shortfall, the parties agree the Council is unable to demonstrate a five-year supply of deliverable housing sites.
15. In this circumstance, paragraph 11(d) of the Framework is engaged, whereby planning permission should be granted unless (i) policies in the Framework that protect areas or assets of particular importance provide a strong reason for refusing the development, and (ii) 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
16. The proposal would not conflict with the Framework's policies that protect areas or assets of particular importance. Therefore, Framework paragraph 11(d)(i) does not provide a strong reason for refusing the development.

17. The ULP dates from 2005 and thus pre-dates the Framework. However, Framework paragraph 232 advises due weight should be given to development plan policies according to their degree of consistency with the Framework.
18. Paragraph 110 of the Framework recognises that opportunities to maximise sustainable transport solutions vary between urban and rural areas. However, even taking this difference into account, the proposed dwelling would not be located so as to prioritise sustainable transport modes and would not achieve safe and suitable access for all users, as required by Framework paragraph 115. The proposal would therefore conflict with the Framework's key policies for directing development to sustainable locations. Consequently, I afford substantial weight to the conflict with ULP Policy GEN1(e).
19. Set against this harm, the proposal would contribute positively to the area's housing supply and government's objective to significantly boost the supply of homes, as set out at paragraph 61 of the Framework. In addition, unless exempt, section 2A of the Self-Build and Custom Housebuilding Act 2015 places a duty on the Council to grant permission for enough serviced plots to meet the demand for self-build and custom housebuilding in its area. The appellant is named on the Council's self-build register and intends to occupy the proposed dwelling, which they suggest would meet the definition of a self-build dwelling.
20. I have not been provided details of the supply of serviced plots in the Council's area, and the proposal contains no planning obligation to secure the development as a self-build unit. However, even if I were to accept the proposal would contribute to the section 2A duty, the proposal is small scale and would make only a small contribution to the supply of self-build plots and overall housing need.
21. The proposal would represent an efficient use of land and, were I to accept it would contribute to meeting the identified need for different types of housing, it would perform positively against the key policy at paragraph 129 of the Framework. Within this context, the provision of one additional dwelling, as a self-build plot, utilising an existing building, attracts moderate weight in the scheme's favour. In addition, the small economic benefits associated with construction jobs and local expenditure, and small environmental benefits arising from the design and modern standards of construction, carry modest positive weight.
22. Nonetheless, the substantial adverse impacts associated with the proposed location's accessibility would significantly and demonstrably outweigh these benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development would not apply.

Conclusion

23. The proposal would conflict with the development plan as a whole and there are no other considerations which outweigh this finding. Therefore, for the reasons given the appeal should be dismissed.

E Dade

INSPECTOR