



Appeal Decision

Site visit made on 15 December 2025

by **L Fern BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13th January 2026

Appeal Ref: APP/W1525/W/25/3374567

207 Hayes Country Park, Hayes Chase, Rettendon, Wickford, Essex SS11 7QT

- 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 Henry Mendel of Premier Piling and Foundations Limited against the decision of Chelmsford City Council.
 - The application Ref is 25/00157/OUT.
 - The development proposed is erection of 22 chalets for overnight accommodation for guests of the Lodge Hotel.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. This appeal relates to an outline proposal, with access, appearance and layout sought at this stage, and with all other matters reserved for future consideration. I have considered the appeal on this basis. Plans were submitted, Drawing No HMM/100/01 and Drawing No HMM/100/02, which show how the proposal could be accommodated on the site and what its appearance would be. I have taken these plans into full account as far as they relate to access, appearance and layout, and I have considered them as indicative only regarding all other matters.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies, and the effect of the proposed development on the openness of the Green Belt;
 - whether the proposal would achieve sustainable development regarding the location of the appeal site in terms of accessibility and the effect of the proposed development on the character and appearance of the surrounding area; and
 - whether harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development, and openness

4. The Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
5. Policies S1, S11 and DM6 of the Chelmsford Local Plan (2020) (the LP) conform to the general thrust of national Green Belt policy, confirming that the openness and permanence of the Green Belt will be protected and inappropriate development will not be approved except in very special circumstances. Furthermore, Policy DM6 is broadly consistent with the Framework in setting out exceptions to inappropriate development.
6. The Council asserts that the proposal does not fall within any of the exceptions to inappropriate development in the Green Belt as set out at paragraphs 154 and 155 of the Framework and LP Policy DM6. This is a position not disputed by the appellant and I find no reason to disagree.
7. Openness is an essential characteristic of the Green Belt that has spatial as well as visual aspects. Despite scale being a matter reserved for later consideration, the submitted plans show that the development of up to 22 chalet units across 4 buildings, which represents the worst-case scenario before me, would inevitably accommodate a substantial proportion of this grassed garden site that is currently devoid of built development and only contains a small amount of modest children's play equipment.
8. It is acknowledged that the land is privately owned and views into the site from Burnham Road are reduced by the separation distance afforded by the adjacent field and the presence of intervening hedgerows. However, the appeal site is adjacent to the main vehicular entrance to the car park and is located forward of the main hotel complex. It is therefore highly visible to members of the public accessing the hotel facilities. Furthermore, there is a residential property in the vicinity of the appeal site that is accessed off Hayes Chase between the hotel entrance and Burnham Road. Due to the elevated position of this dwelling, the proposed development would be particularly noticeable to residents, regardless of the height of the resultant buildings.
9. For the above reasons, the proposed development would be inappropriate development in the Green Belt and cause harm to its openness. Consequently, it would be contrary to both the Framework and LP Policies S1, S11 and DM6.
10. LP Policy DM10 relates to, amongst other things, the change of use of land and buildings and the undertaking of engineering operations in the Green Belt, which the proposal before me does not seek. I therefore do not find conflict with LP Policy DM10 in this instance.

Sustainable development – accessibility, and character and appearance

11. LP Policy S1 requires development to accord with the listed Spatial Principles where relevant, including locating development at well-connected and sustainable locations, and respecting the character and appearance of landscapes.

12. The appeal site is located a substantial distance from the settlements of South Woodham Ferrers, Battlesbridge and Rettendon and from the nearest bus stops on Woodham Road. Furthermore, Burnham Road was observed during my site visit to be a busy highway with particularly fast-moving traffic, and with only grass verges either side for a substantial distance in both directions, which would not be an attractive and safe route for pedestrians. The appellant provides little evidence to the contrary. For these reasons, users of the proposed development would be heavily reliant on use of private vehicles to access the accommodation.
13. The surrounding area is particularly rural in character with the appeal site being predominantly surrounded by fields except for the hotel and associated infrastructure. I acknowledge that the site is somewhat shielded from Burnham Road by the existing hedgerows. However, the garden space functions positively as an undeveloped buffer between the large and imposing main building and the open field beyond. The introduction of a significant quantum of built form in this location, forward of the main building, would urbanise the site to the detriment of its rural surroundings, regardless of its scale.
14. Thus, the proposal would not achieve sustainable development regarding the location of the appeal site in terms of accessibility and the harm that would be afforded to the character and appearance of the surrounding area, contrary to LP Policy S1.

Other considerations

15. I find no reason to doubt that the long-established hospitality business provides a well-attended venue for weddings, family gatherings and other social events, and that there is demand for overnight stays at the site beyond what the current facility can provide. It is acknowledged that this has resulted in potential patrons being turned away and is an additional income stream that the business cannot realise. Whilst the proposed development would seek to remedy the situation, these matters largely relate to the private concerns of the business and customers, and I therefore only attribute limited weight to them as benefits.
16. The appellant asserts that there is an unmet demand for additional reasonably priced and good quality overnight tourist accommodation in this part of Essex. However, the evidence before me demonstrates that there is a demand for additional accommodation at this particular venue. I am not convinced however that it reflects an overall unmet need for additional accommodation in the wider area.
17. There would be some economic benefits to the proposal, including the creation of employment opportunities, an increase in revenue for local suppliers and increased expenditure in the local area, particularly if the accommodation was used in combination with planned golfing holidays for example. However, I am not convinced that other alternatives have been thoroughly explored that may be less harmful than the proposal before me.

Other Matters

18. Although not a reason for refusal on the Council's decision notice, I note that there is dispute between the parties regarding the need to demonstrate a biodiversity net gain (BNG). However, given that I am dismissing this appeal on several other matters, I am not required to consider BNG in this instance.

19. The appellant claims that many similar sites have been developed recently, reflecting the national direction for growth. However, there are no specific site details or substantive evidence before me to demonstrate that such examples would be comparable with this appeal in either locational context or form.

Planning Balance and Conclusion

20. The proposal would constitute inappropriate development in the Green Belt and would harm its openness. As such, the Framework requires me to give this harm substantial weight. Furthermore, the proposal would not achieve sustainable development, and I ascribe significant weight to the associated harm regarding the location of the proposal in terms of accessibility and to the character and appearance of the surrounding area.
21. For the reasons set out above, I find that the other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the proposed development do not exist.
22. The proposal conflicts with the development plan taken as a whole, and material considerations do not indicate that the appeal should be decided other than in accordance with it. I therefore conclude that the appeal should be dismissed.

L Fern

INSPECTOR