
Appeal Decision

Site visit made on 9 December 2025

by **S Simms BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15th January 2026

Appeal Ref: APP/C1570/W/25/3373483

Land adj Greylands Barn, Chelmsford Road, White Roding, CM6 1RF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr Peter Moore against the decision of Uttlesford District Council.
 - The application Ref is UTT/25/1886/PIP.
 - The development proposed is the erection of between 1-2 dwellings and associated work.
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Decision

1. The appeal is allowed and permission in principle is granted.

Preliminary Matters

2. The proposal is for permission in principle. The Planning Practice Guidance advises that this is part of an alternative way of obtaining planning permission for housing-led development, comprising two stages: the first 'permission in principle' (PIP) stage establishes whether a site is suitable in principle and the second 'technical details consent' (TDC) stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for PIP is limited to location, land use and the amount of development permitted. All other matters, including biodiversity net gain and any infrastructure contributions, would be considered as part of a subsequent TDC application if PIP is granted. I have determined the appeal accordingly.
4. The description of development on the decision notice differs from that on the application and appeal forms. I have no evidence that the change was agreed with the applicant and have therefore used the description on the forms.
5. The site depicted after paragraph 6.16 of the appellant's Statement of Case and in Figure 3 of the report of the Council's officer is truncated to about half the length of that on the site location plan (drawing no. 225242-PL-001 revision B). I have determined the appeal based on this site location plan.
6. The application also includes a proposed site plan (drawing no. 225242-PL-002 revision B), which demonstrates how the site might be developed. I have treated this information as illustrative, not least as it shows three dwellings, whereas the application form refers to one or two.

Main Issue

7. Issues such as whether a safe and suitable access could be achieved and the size of the dwellings would be considered as part of the TDC stage.

8. The main issue is whether the site is suitable for development, having regard to its location, the proposed land use and the amount of development.

Reasons

9. The site comprises a paddock at the edge of a village, with gardens and houses on one side and a hedgerow to the other, beyond which are open fields. Whilst the site is in the Green Belt, neither the Council nor appellant consider it contributes to any of purposes (a), (b) or (d) described in paragraph 143 of the National Planning Policy Framework ('the Framework'). I have no reason to disagree and therefore find that the site comprises grey belt as defined in Annex 2 to the Framework.
10. As the site is bounded on only two sides by the converted barn and houses, the proposal would encroach into the countryside, but the scale of this would be limited. Furthermore, I have no evidence of alternative sites in need of regeneration. Consequently, taken together, the purposes of the remaining Green Belt across the district would not be fundamentally undermined by the proposal.
11. The parties agree that there is only 3.46 years' supply of deliverable housing land within the district, with a 20% buffer, and that the site is in a sustainable location. Whilst sustainability in this context requires safe, suitable access, I have no evidence this would be impossible to achieve at the TDC stage, so I agree with the parties. The 'Golden Rules' in paragraphs 156-157 of the Framework do not apply to minor development, so the proposal is not inappropriate in the Green Belt.
12. Whilst the Council and third parties also cite harm to the openness of the Green Belt, footnote 55 of the Framework excludes this from harm to which substantial weight would otherwise be given in the case of development on grey belt land, where that development is found to be not inappropriate.
13. The village has a cruciform layout, albeit with several streets leading away from the main frontages resulting in variations to the depth of the layout. The site itself is lower than the recreation ground to the west and open countryside to the north. Plot sizes nearby are large, with generous gardens adjoining to the south.
14. The proposed use would entail the subdivision of open land previously used for agriculture and the erection of domestic buildings. It would do so behind frontages forming the core of the village layout. The scale of the proposal is not fixed at this stage and so could conceivably be single storey.
15. Whilst this would be visible from neighbouring gardens and houses on Chelmsford Road, views from within the village, and hence the extent to which the effect on its layout could be perceived, would be limited by them and by intervening tree lines. Any residual sense of change to the depth of the layout of the village need not be harmful, as it would reflect other side streets within the village.
16. Views of 1-2 houses on the site from the recreation ground to the west and open countryside to the north, would be at least partially obscured by trees and the thick hedgerow, which is an effective visual barrier even in its winter state.
17. Sensitive design, which could include limiting the height of the proposed houses and appropriate soft landscape, could be agreed through TDC and ensure the development would be as sympathetic as possible to local character, including the surrounding built environment and landscape setting, along with compliance with design policies of the development plan, guidance, codes and the Framework.

18. The density of the proposal would be very low, like that of Greylands Farm to the south, less than that of housing around The Croft to the south-east and much less than that around the village core. Bearing in mind the desirability of maintaining the area's character and setting, particularly views of the edge of the village from open countryside to the north, I am satisfied that this would make efficient use of the land. Indeed, a higher density would be more likely to harm character and setting.
19. Consequently, I conclude that the site is suitable for development having regard to its location and the land use and amount of development proposed, complying with Policies GEN1, GEN2 and H10 of the Uttlesford Local Plan (January 2005), which relate to details of access, design and housing mix that would be considered at the TDC stage. Whilst the proposal conflicts with Policy S6 in respect of green belt, it is not inappropriate development because it complies with the Framework.

Other Matters

20. Whilst the appellant is keen to provide additional benefits at the TDC stage, these are not inherent to the location, land use or amount of development and so I cannot be certain that they would be realised.
21. The access is owned by a third party, but whether a safe and suitable access could be achieved would be considered at the TDC stage and any easements relied upon are a matter of private law.
22. Issues with planning control, rights of way or privacy related to the converted barn fall outside the scope of this appeal. Privacy for occupiers of the proposal and its neighbours would be considered at the TDC stage.
23. I accept that trees may have been removed, but I was able to see the extent of enclosure and visibility during my site visit. Any necessary soft landscape works would be considered at the TDC stage.
24. I note disagreement as to the previously developed status of the appeal site, but I have found that the site is grey belt based on its lack of contribution to Green Belt purposes a), (b) or (d) in paragraph 143 of the Framework.
25. A previous appeal decision¹ in respect of the site was made prior to amendments to the Framework and against a refusal of planning permission and not of PIP. Its context and scope differed in respect of grey belt and in dealing with design matters, such as scale, which are not fixed at the PIP stage.

Planning Balance and Conclusion

26. The Local Plan was adopted in 2005, but paragraph 232 of the Framework states that weight should be given to existing policies according to their consistency with it. Policy S6 of the Uttlesford Local Plan (January 2005) is not consistent with the Framework in respect of development in grey belt and the assessment of harm to the openness of the Green Belt of the partial or complete redevelopment of grey belt. Consequently, it should now be given lesser weight.
27. One or two dwellings in a sustainable location would add to housing supply and support the local economy. However, as TDC would still be required, I cannot be sure that these benefits would be realised.

¹ APP/C1570/W/20/3255735

28. Nonetheless, the Council is unable to demonstrate a five-year supply of deliverable housing land, the proposal would affect neither a protected area nor assets of particular importance, and the adverse impacts of granting permission in principle would not significantly and demonstrably outweigh the benefits, assessed against the policies in the Framework as a whole.
29. For the above reasons, whilst the development would conflict with a policy of the development plan, material considerations, in particular the Framework, indicate otherwise than to determine in accordance with it. Having had regard to all matters raised, I conclude that the appeal should be allowed.

S Simms

INSPECTOR