
Appeal Decision

Site visit made on 16 December 2025

by **L Reid BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 January 2026

Appeal Ref: APP/M1595/W/25/3373870

Land Adjacent Highfield and Roma, Inglefield Road, Fobbing, Essex SS17 9HW

- 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 Ashley Dye against the decision of Thurrock Borough Council.
 - The application Ref is 25/00105/OUT.
 - The development proposed is construction of new dwelling and associated works including vehicle access, car parking, cycle storage and hard and soft landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address I have used in the banner heading above is taken from the decision notice and appeal form as it provides a more accurate description.
3. The application is in outline with matters of access, appearance, landscaping, layout and scale reserved for future consideration. I have therefore dealt with the appeal on this basis, treating the submitted proposed plans as indicative.
4. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework 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 changes, and in reaching my decision, I have had regard to the Framework published in December 2024.

Main Issues

5. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies,
 - The effect of the proposal on openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the area; and,
 - Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate development

6. The appeal site is in the Green Belt. Policy CSSP1 of the Core Strategy and Policies for Management of Development (as amended) 2015 (the CSP) sets out the Council's spatial strategy for housing delivery and states that development will only be permitted on Green Belt land where it is specifically allocated for residential development and where it is required to maintain a five-year rolling housing land supply. I will return to the Council's housing supply later in my decision, but I have not been advised that the appeal site is allocated for residential development. As such, the proposal would conflict with this policy.
7. The weight to be attached to the policies in a Local Plan does not hinge on its age. Paragraph 232 of the Framework makes clear that due weight should be given to them according to their degree of consistency with the Framework. Policy CSSP4 of the CSP sets out the strategic approach to land within the Green Belt, including that its purpose, function and open character will be maintained. This aspect of the policy remains consistent with the essential characteristics and purposes of the Green Belt as set out in the Framework, despite its reference to housing land supply to 2021, and is therefore given full weight.
8. Policy PMD6 of the CSP states the Council will maintain, protect and enhance the open character of the Green Belt in accordance with the provisions of the Framework. It goes on to identify development that may be permitted in the Green Belt, including infilling within established residential frontages. However, the Framework allows for 'limited infilling in villages', without specifying that this should be restricted to specific frontages or boundaries defined on a policies map. This policy is not as broad as the exceptions to inappropriate development listed in the Framework, and it is more restrictive. It is therefore inconsistent with the Framework and is given limited weight.
9. I have considered each exception to inappropriate development in the terms set out by the Framework put forward by the appellant.

Limited infilling in villages

10. The appeal site is not within an established residential frontage where part 3 of Policy PMD6 allows for infilling. However, the exception at part e) of paragraph 154 of the Framework allows for the limited infilling in villages. The Framework does not define the terms 'limited infilling' or 'villages'. A defined boundary in a Local Plan is not conclusive in determining whether a site is within a village or not. The physical circumstances of a site and its relationship to a settlement are relevant.
11. At my site visit, I observed that the village of Fobbing is a predominantly linear settlement, whereby the houses follow a regular pattern of development, with close spacing and mostly front onto High Road. There is a noticeable change in character when travelling from High Road to Inglefield Road. The dense vegetation and tree coverage along Inglefield Road, combined with the large gaps in visible built form, give it a distinctly semi-rural character.
12. Although Inglefield Road is connected to High Road, the appeal site's position on Inglefield Road results in a clear visual and physical separation from the built-up frontage on High Road. The housing along Inglefield Road occurs in more sporadic

clusters, separated by undeveloped areas. This pattern does not reflect the characteristics associated with the village, and as such cannot be regarded as forming part of it. This is consistent with observations of the Inspector in the Sunnyside appeal, which is also located on Inglefield Road (the Sunnyside appeal¹).

13. Based on my observations on the ground, the appeal site does not fall within a village for the purposes of the Framework. Accordingly, it is not necessary for me to consider whether the proposal would amount to 'limited infilling'. The proposal would therefore fail to meet the exception listed at part e) of paragraph 154 of the Framework.

Limited affordable housing for local community needs under policies set out in the development plan

14. The proposal is intended to provide affordable housing. However, part f) of paragraph 154 of the Framework applies only where affordable housing is for local community needs under policies set out in the development plan (including policies for rural exception sites). As there is no substantive evidence of identified local need or a mechanism to secure the proposal as affordable housing, it has not been demonstrated that the proposal would meet this exception.

Grey Belt

15. Paragraph 155 of the Framework states that the development of homes in the Green Belt should also not be regarded as inappropriate where the development would utilise grey belt land, and where various other criteria are met. Grey belt is defined as 'land in the Green Belt comprising previously developed land (PDL) and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143'². It should therefore be noted that grey belt land does not have to be PDL, it also includes any other type of land within the Green Belt. The test is whether the site strongly contributes to the particular Green Belt purposes listed.
16. The Council confirm in the Delegated Report that the appeal site would not strongly contribute to purposes (a), (b), or (d) of the Green Belt. I have no reason to reach a contrary view. On this basis, irrespective of whether the appeal site is PDL, it would fall within the definition of 'grey belt'. Consideration therefore turns to whether the proposal would meet parts a) – d) of paragraph 155 of the Framework.
17. The appeal site is contained between the neighbouring residential curtilages and does not adjoin open countryside; as such, the proposal would not encroach into the countryside. As the proposal is for one house, it would also be unlikely to discourage the recycling of derelict or other urban land. The proposal would therefore not fundamentally affect the ability of the remaining Green Belt from serving all five of the Green Belt purposes in a meaningful way. Therefore, as grey belt land would be utilised and the purposes (taken together) of the remaining Green Belt would not be fundamentally undermined, the proposal would satisfy part a) of paragraph 155 of the Framework.

¹ Appeal Ref: APP/M1595/W/25/3369604 – Appendix 2 of the Council Appeal Report

² Annex 2 of the Framework

18. The Council cannot currently demonstrate a five-year supply of deliverable housing sites. Therefore, there is a demonstrable unmet need for the type of development proposed, which would satisfy part b) of paragraph 155 of the Framework.
19. Although a bus stop is located on High Road, access is via Inglefield Road, which is narrow, uneven and lacks a footpath. This would present difficulties for older people and those with reduced mobility or children, particularly in poor weather or darkness. There is also no cycle path. Pedestrians and cyclists would share the road with vehicles. This would limit the attractiveness of walking or cycling for future occupiers and poses safety concerns. Even if vehicle speeds along the road are typically low, this would not be a safe arrangement. These observations are also consistent with the findings of the Inspector in the Sunnyside appeal.
20. In the absence of information on bus frequency or destinations, it is unclear whether the service would provide a realistic alternative to car use. While local services are described as being a 'short distance' away, no distances are given, and the availability of safe walking or cycling routes is not known. Although the public right of way along Mill Lane is cited as an alternative pedestrian route, it appeared to lack a footpath at the time of my visit and did not seem to connect directly to public transport or local services. The proposal would therefore not be in a sustainable location and would not satisfy part c) of paragraph 155 of the Framework. Since the proposal fails to meet all the criteria in paragraph 155, this exception would not apply.
21. For these reasons, the proposal would not meet any of the exceptions set out above. It would therefore be inappropriate development in the Green Belt and would conflict with Policies CSSP1, CSSP4 and PMD6 of the CSP.

Openness

22. Openness is an essential characteristic of the Green Belt; it can be perceived both spatially and visually. It is possible that a development which would harm openness could be acceptable visually and vice versa.
23. Although landscaping, layout and scale would be reserved for future consideration, the proposal would introduce built form on a currently open site, resulting in a clear loss of spatial openness. The introduction of such a permanent built form would also be visible from some of the surrounding housing, with some limited public views from the nearby public right of way. This would therefore lead to a visual loss of openness. As the effect on openness would be localised, the degree of harm would be moderate. Nevertheless, the proposal would conflict with the objectives of the Framework in keeping Green Belt land permanently open.

Character and appearance

24. The appeal site relates to a wide plot of garden land associated with the house known as Roma. It is located between two houses and has vehicle access from Inglefield Road. It has an open character due to the absence of built development, with trees and hedging along the frontage providing some screening. Surrounding development is generally set on large plots with predominantly one-and-a-half-storey houses with varied design and spacing between.
25. The outline status of the proposal means that the assessment of the effect on the character and appearance of the area is more limited. Although layout and scale are

reserved matters, the indicative block plan indicates that the site's generous width could accommodate a house with substantial separation from adjacent boundaries, allowing large gaps, in order to retain some of the site's open characteristics. The erection of a house would give the site a residential appearance. However, given the presence of other housing nearby, a house in this location would not be an unexpected feature, despite the semi-rural context.

26. Other houses along the road also feature driveways and typical domestic items, so although the proposal would introduce some urbanisation to the appeal site, this residential character would be in keeping with the surrounding area. The rear of the appeal site adjoins the remainder of the land associated with Roma. It is currently visually distinct and defined by clear boundaries from the more open and undeveloped fields beyond on Mill Lane. The proposal would therefore not result in urbanisation of the open countryside.
27. Whilst a potential design has been put forward, this is indicative and is not fixed. The Council refer to design similarities with the development dismissed at Plot 2 land adjacent Avondale³. However, this related to a full planning application, where the design was fixed and the Inspector was required to assess the detailed scheme. It is therefore not directly comparable with the appeal scheme, as layout, scale and appearance are not matters before me in this outline application. Subsequently, I am unable to draw direct conclusions from the Inspector's findings on character and appearance.
28. For the above reasons, I conclude that the proposal would not cause significant harm to the character or appearance of the area. Accordingly, the proposal complies with Policies CSTP22, CSTP23, PMD2, and PMD6 of the CSP. These policies, amongst other things, require development to be a positive response to the local context and enhance character.

Other considerations

29. The Council cannot currently demonstrate a five-year supply of deliverable housing sites. The proposal would deliver one home, and as it is a small site, it could be delivered quickly. Although this would make a small contribution to the area's housing supply, every home matters. Given the extent of the undersupply, I give this benefit moderate weight.
30. Some social and economic benefits would also stem from employment associated with the construction phase, and future occupiers would bring trade to nearby shops and services. However, these benefits would be limited given the scale of development under consideration.
31. The proposal is described as 'self-build' and is intended to provide affordable housing, however, these considerations can only be given minimal weight as there is no mechanism to secure the development as such.
32. The appellant cites approvals at Land to the rear of Woodlands⁴ and 40 High Road⁵. The former involved a change of use, and the latter was approved due to the development being occupied by over-55s, which the Council considered to be a very

³ Appeal Ref: APP/M1595/W/23/3326712 – Appendix 4 of the Council Appeal Report

⁴ Council Ref: 25/00356/FUL – Appendix E of the Appellant Full Statement of Case

⁵ Council Ref: 22/01560/FUL – Appendix G of the Appellant Full Statement of Case

special circumstance. As neither development is directly comparable to the appeal proposal, they carry minimal weight.

Other Matters

33. The appeal site is within the zone of influence of the Habitat sites set out in the Essex Coast RAMS. To mitigate the likely significant effect the proposal would have on the Thames Estuary and Marshes Special Protection Area, the mitigation strategy requires a tariff to be paid to fund the mitigation. The appellant has stated that this has been paid, but this has not been confirmed by the Council. In any event, since I am dismissing the appeal, it has not been necessary to consider this matter further.
34. The Council's Delegated Report references a loss of agricultural land, but this was not part of the refusal reason, nor is it expanded upon in the Council's case. I have therefore not considered it further.

Planning and Green Belt balance

35. The proposal would be inappropriate development in the terms set out by the Framework and would result in the loss of openness of the Green Belt. As required by the Framework, substantial weight is given to this harm.
36. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
37. Against this harm, the benefit of the provision of housing is of moderate weight. The economic and social benefits are of limited weight and the other considerations are of minimal weight. In taking all factors into consideration relating to this appeal, the weight afforded to other considerations in support of the appeal would not, either individually or collectively, clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist.
38. Having regard to paragraph 11d i) of the Framework, as I have found that very special circumstances do not exist, the application of policies in the Framework that protect areas of particular importance provides a strong reason for refusing the development proposed. Consequently, the presumption in favour of sustainable development does not apply in this instance. Even though the Council cannot currently demonstrate a five-year supply of deliverable housing sites, paragraph 11d ii) of the Framework is not engaged.

Conclusion

39. The proposal conflicts with the development plan and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

L Reid

INSPECTOR