



Appeal Decision

Site visit made on 15 April 2026

by A Oyebade MSc FCILT

an Inspector appointed by the Secretary of State

Decision date: 15 May 2026

Appeal Ref: APP/Z1510/W/25/3362922

Land adjacent Hawbush House, Hawbush Green, Cressing, Essex CM77 8NX

- 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 Mr Douglas Adshead-Grant against the decision of Braintree District Council.
 - The application Ref is 24/01426/FUL.
 - The development proposed is a mobile home for a temporary period of two years.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The appeal site is proximate to the listed building known as Hawbush House. This asset reinforces the area's heritage value, vernacular character, and historic rural identity. In considering whether to grant planning permission, I have been mindful of my statutory duties under Sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
3. The Council advises that a mobile home had previously been stationed on the land without the benefit of planning permission. At the time of my site visit, however, I observed that the mobile home had been removed and was no longer present on the appeal site.
4. The Council has also determined that the proposed mobile home falls within the statutory definition of a "caravan" for the purposes of section 13 of the Caravan Sites Act 1968, subject to compliance with the relevant dimensional and structural requirements. Notwithstanding this, the Council maintains that the proposal cannot be regarded as ancillary to the host dwelling, Hawbush House, given the physical separation between the two locations and their independent points of access. On this basis, it considers that a change of use of the appeal site would have been necessary. I concur with the Council's position and have therefore assessed the appeal on the basis that it seeks planning permission for a change of use of the land to site a mobile home for a temporary period given that it has been removed.

Main issues

5. The main issues are:
 - whether the proposed development is appropriate for a countryside location;
 - the effect of the proposal on the character and appearance of the area;

- the effect on the relevant designated heritage asset; and
- whether the development would provide suitable internal living condition for future occupants in terms of overall floorspace.

Reasons

Whether the proposed development is appropriate for a countryside location

6. Policy LPP1 of the Brainwood District Local Plan (Section 2) (the Local Plan 2) and Policy SP3 of the Brainwood District Local Plan (Part 1) (the Local Plan 1) set out the spatial strategy for the district. Policy SP3 directs development to within or adjoining settlements according to their scale and sustainability. Beyond the main settlements the authorities will support the conservation and enhancement of the natural environment. Policy LPP1 confines development outside of settlement boundaries to uses appropriate to countryside while also protecting the intrinsic character and beauty of the countryside. There is no dispute that the appeal site lies beyond the development boundary of nearby settlements and therefore the proposal conflicts with the spatial strategy.
7. The appellant argues that although the site lies outside the defined settlement boundaries, it is within a short driving or cycling distance of both Cressing and Witham, each of which provides a range of services, facilities, and transport options. Given the modest scale and temporary nature of the proposed occupation, the level of dependency on local services would be limited, and the site cannot reasonably be regarded as functionally isolated. It sits immediately adjacent to an existing large-scale residential development and enjoys a degree of accessibility that compares favourably with many rural properties that are nonetheless considered sustainable.
8. However, the location of the appeal site presents practical limitations in respect of access to sustainable modes of travel. Other than a primary school and a petrol station situated along the nearby section of Braintree Road, the site is physically removed from town centres and associated day-to-day services. The intervening route comprises narrow, unlit rural lanes with no pedestrian footways, cycle routes or supporting infrastructure. These characteristics do not provide conditions conducive to safe or convenient walking or cycling.
9. Consequently, future occupiers of the appeal proposal would be heavily reliant on the private car to access even basic facilities. This raises significant concerns regarding the site's suitability for residential occupation. The proximity of development to essential services is an important consideration in assessing whether a proposal contributes to sustainable patterns of growth. In this instance, the absence of nearby amenities and supporting infrastructure substantially undermines the sustainability of the proposal and weighs materially against its locational appropriateness.
10. The appellant also argues that the presence of a temporary mobile home enables active monitoring of the land, thereby helping to deter fly-tipping, trespass and other forms of unauthorised access, which are said to be common concerns on unmanaged rural plots. However, I am not persuaded by this justification. The responsibility for managing and safeguarding the immediate surroundings of Hawbush House, as the host listed building, lies with its owner. Moreover, a range

of alternative security measures, less intrusive and without the potential to diminish the setting of the listed building, could reasonably have been implemented.

11. Accordingly, the proposal would conflict with Policies SP3 of the Local Plan 1 and, and Policies LPP1 and LPP42 of the Local Plan 2.

Effect of the proposal on character and appearance

12. Approaching Mill Lane from the southern end of Braintree Road, the appeal site sits adjacent to Hawbush House, which is positioned well within its generous plot on the right-hand side and set back from both Mill Lane and Braintree Road. Nearby, a substantial modern housing development (The Paddocks) extends deep into its site along the same side of Mill Lane behind Hawbush House, from its primary access on the proximate section of Braintree Road. Continuing in this direction, The Paddocks terminates at its secondary access on Mill Lane, close to the junction with Bulford Lane, which leads directly to Cressing railway station. Along this stretch of Mill Lane, there are no footways or cycle routes linking with the train station or any other development.
13. Beyond this point, development becomes more concentrated on the same side of Mill Lane, opposite a large area of enclosed vegetation. Further built form then appears on both sides of the road as it approaches the point where Braintree Road reconnects with Mill Lane in an anticlockwise loop from the host dwelling. Due to the absence of pedestrian infrastructure along the initial section of this narrow rural road, the appeal site reads as physically and functionally detached from the built-up area.
14. The immediate area around Hawbush House is characterised by a loosely arranged cluster of semi-detached and detached family homes, many with period character and set within a distinctly countryside context, where built form is secondary to the prevailing openness of the landscape. The area exhibits a predominantly low-density pattern of development, with properties generally occupying generous plots and being separated by mature boundary vegetation. This results in a spacious and verdant character, reinforced by the presence of hedgerows, established trees, and wide garden curtilages.
15. The appeal site is located within a predominantly greenfield area, enclosed by dense boundary vegetation and situated in open countryside outside the defined settlement boundary. It is visually and physically separate from the host dwelling and benefits from its own independent access. The site also faces a large open field on the opposite side of Mill Lane, which reinforces its rural character.
16. However, the proposal would introduce a visually intrusive and overtly domestic form of development that would diminish the rural and agrarian qualities of the surrounding countryside. The siting, scale and arrangement of the mobile home would not reflect, reinforce or positively contribute to the established pattern of built form in the locality. Instead, it would appear as an isolated and incongruous feature within an area that is generally open and closely associated with the wider countryside. Consequently, the development would amount to an encroachment into the countryside, and the introduction of an inappropriate built form in this rural location would result in material harm to the character and appearance of the area.
17. For the reasons above the proposal would harm the character and appearance of the area, bringing it into conflict with Policy SP7 of the Local Plan (Section 1) which

requires that developments respond positively to local character and context to preserve and enhance the quality of existing places and their environs.

Effect on the relevant designated heritage asset

18. Hawbush House is a grade II listed building constructed in the fourteenth and sixteenth century with later extension. It is timber framed, plastered with handmade red plain tiles. Its significance lies within its surviving architectural features of various dates and its historical interest of an early domestic building in the area.
19. It is sited within surrounding fields demonstrating its early origins and original setting which adds understanding to its role in the evolution of the area contributing to its significance.
20. The proposal's visually intrusive and domestic form would harmfully erode the rural setting of the heritage asset. This encroachment would also detract from the way the setting of the listed building is experienced, resulting in harm to both its setting and its overall significance. The scale and form of the caravan would interrupt the ability to appreciate the listed building within its rural context, thereby diminishing the positive contribution that its setting makes to the significance of Hawbush House.
21. The appellant submits that, in seeking to safeguard the heritage asset, the mobile home has been positioned in a discreet location that is both well screened and physically separated from the listed building. Its placement at the furthest extent of the landholding is said to demonstrate regard for the setting and significance of Hawbush House. While I acknowledge that the vegetation between the two provides a degree of screening, the host dwelling remains visible from parts of the appeal site when looking towards Braintree Road. Taking this visibility into account, together with the relative proximity of the proposal to Hawbush House, I am satisfied that the mobile home falls within the setting of the listed building and causes harm even though the proposal is only for two years. In this instance the level of harm is less than substantial and at the lower end of that spectrum of harm, but nevertheless attracts considerable importance and weight.
22. While there may be enhanced site security and active stewardship of the land due to the presence of the residential unit, there are other less intrusive means of providing site security. Furthermore, there is no substantive evidence to demonstrate that the site needs a resident to provide active stewardship. Therefore, I give these benefits limited weight.
23. The proposal would add to the supply of housing, but any public social and economic benefits associated with that increase would be limited given it relates to only one unit. Consequently, the public benefits would not be sufficient to outweigh the harm to the heritage asset.
24. The appellant notes that The Paddocks development lies approximately 80 metres from the appeal site and around 120 metres from Hawbush House. This scheme comprises a substantial new housing estate of permanent, two-storey dwellings and represents a considerably larger and more visually prominent intervention within the local area. The development extends around the listed building, with only a field and intervening vegetation providing separation. The appellant considers that this approval demonstrates the Council's willingness, where appropriate, to

support new residential development near heritage assets and on the rural edge of Cressing.

25. Nevertheless, the circumstances of the two developments differ markedly. The Paddocks forms part of a comprehensive residential scheme delivering significant social and economic benefits to the local community. By contrast, the appeal proposal would offer only limited public benefit and does not share the same strategic justification. I also note that The Paddocks benefits from reasonable pedestrian connections to nearby services, including the petrol station, the primary school, the adjoining community accessed via its secondary entrance on Mill Lane, and local bus stops. These routes are served by paved and well-lit streets, providing safe and convenient access on foot.
26. I therefore find that the proposal would cause harm to the setting of the designated heritage asset. Accordingly, the development would conflict with Policy SP7 of the Local Plan (Section 1), and Policies LPP52 and LPP57 of the Local Plan (Section 2).

Whether the development would provide suitable internal living condition for future occupants in terms of overall floorspace

27. The appeal proposal comprises a single-storey, two-bedroom dwelling. The Department for Communities and Local Government's Technical Housing Standards (March 2015) require that a unit of this type should provide a minimum Gross Internal Area (GIA) of 70 sqm. Based on the information before me, the Council advises that the mobile home has an internal floorspace of approximately 41 sqm, which aligns with the dimensions shown on the submitted block plan. This represents a significant shortfall when assessed against the nationally described space standard.
28. The proposed dwelling would therefore fall short of the minimum GIA requirement. As a result, the scheme would not provide an adequate standard of accommodation for future occupiers regarding internal space, contrary to Policy LPP35 and LPP52 of the of the Local Plan (Section 2).

Other considerations and planning balance

29. In the circumstances of this case, I find that the proposed development would conflict with the spatial strategy, cause lasting harm to the countryside and character and appearance of the area including the setting of the designated heritage asset. As a result, it conflicts with the development plan as a whole.
30. The appellant maintains that the temporary and reversible nature of the proposal would significantly reduce its planning impacts, particularly in respect of landscape and heritage considerations. On this basis, it is argued that the scheme is materially different from proposals for permanent residential occupation in rural locations. Reference is also made to national planning guidance, which is said to support a flexible approach to temporary structures where no long-term harm can be identified.
31. However, the Planning Practice Guidance (PPG) sets out specific circumstances in which a temporary permission may be appropriate. These include situations where a trial period is required to assess the effects of a development; where planning circumstances are expected to change by the end of the temporary period; or

where a temporary use would facilitate the short-term occupation of vacant land or buildings pending longer-term proposals. The PPG also makes clear that the granting of successive temporary permissions will seldom be justified, other than in cases where changing circumstances provide a clear rationale, such as temporary school accommodation.

32. In this case, I am not persuaded that any of the circumstances identified in the PPG apply. The appellant has not demonstrated that a temporary consent is necessary to test its effects, nor that relevant planning circumstances are likely to change. Accordingly, I do not accept that a temporary permission would be justified.

Conclusion

33. Having considered all other material factors relevant to the proposed development, I conclude that there are none that would outweigh the conflict with the development plan. Accordingly, and for the reasons set out above, I conclude that the appeal should be dismissed.

A Oyebade
INSPECTOR