

Appeal Decision

Site visit made on 13 September 2016

by Graham M Garnham BA BPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 September 2016

Appeal Ref: APP/C1570/W/16/3151054

Site adjacent to Glebe Cottages, Royston Road, Wendens Ambo, Saffron Walden, Essex, CB10 4JY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr & Mrs G Evans against the decision of Uttlesford District Council.
 - The application Ref UTT/15/3031/OP, dated 29 September 2015, was refused by notice dated 20 November 2015.
 - The development proposed is erection of a dwelling and garage (self build for local family).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application is made in outline, with approval of access being sought at this stage. An indicative layout and a tree survey plan site illustrate that the site could accommodate the proposed amount of development and access could be gained without prejudice to a Tree Preservation Order in force on the site.

Main Issue

3. I consider that this is whether the proposal would be a sustainable form of development having regard to its setting.

Reasons

4. The appeal site is a paddock on the north side of Royston Road, a classified rural road linking Saffron Walden and Royston. Glebe Cottages, adjoining the west side of the site, are close to the road. Two larger dwellings west and east of the site are well set back in substantial, well-wooded plots, and can scarcely be seen from the road. Consequently, the site has a rural character, with views of open countryside to the south. I agree with a previous Inspector that, together with the open area in front of 'The Crockern' to the east, the site represents a substantial break from the frontage development of Wendens Ambo (Ref APP/C1570/A/07/2040483, dated 20 September 2007). The proposal, which is for a similar form of development to the previous scheme and on the same site, would consolidate an outlying pocket
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of development and harm the character of the countryside. I consider that the argument that the large house to the west was formerly a vicarage does not establish a visual or present-day functional connection between the site and the more continuous frontage development within the village.

5. Policy S7 in the Uttlesford Local Plan (2005) says that land outside settlement boundaries, as is the case with the appeal site, is defined as being in the countryside and should be protected for its own sake. Whilst this policy may be more restrictive in tone than the National Planning Policy Framework, it does allow for some development appropriate to a rural area. This includes sensitive infilling of small gaps in small groups of houses outside development limits. However, the site is not an infill plot, as normally understood, and the proposal would not be in character with its surroundings. Hence I find that there would be significant conflict with this Policy, having regard to the setting of the site.
6. I am told that Uttlesford District has a chequered history when it comes to ensuring that there is a 5 year supply of developable housing land. There has been a shortfall in the past, and there may be again in the near future. At the moment, such a supply can be demonstrated. Thus for the time being, Policy S7 should be considered up-to-date in terms of paragraph 49 of the Framework. My decision should reflect the situation as it is now, as distinct from what it may become. However, this rather unstable policy context indicates that although local plan policy still applies, the presumption in favour of sustainable development is an important material consideration.
7. In terms of applying the three dimensions of sustainable development to the proposal, its description includes the phrase 'self build for local family'. There has been some support from the community on this basis. However, no mechanism has been provided to ensure that the house would be a self build project or that it would be occupied by a local family. Moreover, the benefits presented in terms of sustainable development have been argued in general terms rather with respect to a particular type of occupancy. Thus this is not a matter to which I can give significant weight.
8. With respect to the environmental role of sustainable development, I have found significant detriment to the rural setting of the site. I consider that the ability to retain protected trees along the site frontage would not offset this harmful outcome.
9. I consider that the economic benefits of the proposal would arise from the construction activity and a certain amount of spending in the local economy thereafter. However, it is not evident that the house would significantly "support growth and innovation", which is the reason given in the Framework for making sufficient development land available.
10. The appellant says that there is a vibrant and strong local community in the village, and a more general requirement for more housing to meet needs of the district. However, I am not persuaded that there is an exceptional local need for housing such that the proposal could give a significant social benefit to the Wendens Ambo community.
11. The accessibility of the site to local services has been given considerable attention, and I went around most of the village in order to observe its layout

and services. The village store, bus stop, rail station and employment opportunities are all about 800 metres from the site. Much of this distance is along parts of Royston Road without a proper footway and, near the site, without street lights. Although this is typical of much of the village, the site is just within the 30 mph limit and I observed traffic passing quite briskly. In this situation, I consider that a private car is likely to be the preferred means of transport to and from the site, albeit that other modes would be feasible. This could be acceptable in a rural area, as the Framework recognises that opportunities to maximise sustainable transport will vary from urban to rural areas. I consider my finding in this respect confirms the rural setting of the site, and that it is not well integrated into the fabric of the village.

12. On balance, I consider that the limited economic and social benefits of the proposal would not materially outweigh the environmental harm, having regard to the rural setting. As a result, I have not found a strong presumption in favour of sustainable development such as to offset this harm or override the provisions of Policy S7 in the Local Plan.
13. The highways authority has not objected to the proposal on grounds of the access into the site. I agree that, subject to various conditions that would be necessary and reasonable, to which no objection has been raised, details of the site access could be approved at this stage. This does not outweigh my conclusion on the principle of the proposed development.
14. Overall I conclude that the proposal would not be a sustainable form of development having regard to its setting.
15. Thus planning permission should be withheld and I dismiss the appeal.

G Garnham

INSPECTOR