
Appeal Decision

Site visit made on 18 October 2016

by Chris Forrett BSc(Hons) DipTP MRTPI

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

Decision date: 8th November 2016

Appeal Ref: APP/H0520/W/16/3153425

Land at 34 Church End, Catworth, Cambridgeshire PE28 0PB

- 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 Mrs R White against the decision of Huntingdonshire District Council.
 - The application Ref 16/00162/OUT, dated 26 January 2016, was refused by notice dated 21 April 2016.
 - The development proposed is a detached eco constructed lodge to create three bed detached dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's reasons for refusal refer to the Draft Huntingdonshire Local Plan to 2036 : Stage 3 (the Draft Plan). As I understand it, the Draft Plan has yet to be examined and as such only limited weight can be attributed to the policies within it.
3. The appeal application was submitted in outline, with the layout, scale and appearance of the development being considered at the outline stage. I have therefore dealt with the appeal on this basis.

Main Issue

4. The main issue is the effect on the character and appearance of the area.

Reasons

5. The appeal site is located on the south side of Church End at the eastern edge of Catworth. To the south and east of the site is agricultural land. There is some tree screening to the side and rear boundaries. The land immediately adjacent to Church End, and a large part of the existing pond towards the front of the land lies outside the defined application site. Whilst the site is part of a large residential curtilage, it has a distinctly rural feel to it owing to its edge of village location and the nature of the pond and surrounding bush and tree screening.
 6. As I understand it, the site is located within the defined village boundary for Catworth in the Huntingdonshire Local Plan Part One 1995 (the 1995 Plan). However, the Huntingdonshire Local Development Framework Core Strategy 2009 (CS) at paragraph 5.15 considers land which should not be included
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within the definition of the built up limits. It states that the built up areas are considered to be the existing built form excluding gardens and other undeveloped land within the curtilage of buildings at the edge of the settlements where these relate more to the surrounding countryside than they do to the built up parts of the village. Given that the CS is a later published document as part of the Development Plan for Huntingdonshire, I give this more weight than the 1995 Plan.

7. Using the interpretation of the built up area from the CS, the site lies beyond the built up area for Catworth owing to its rural, undeveloped, character.
8. The submitted plans show that the proposed dwelling would be located in the region of 28 metres away from the road frontage, albeit much closer to the front boundary of the development owing to the exclusion of the land between the highway and the development. However, the siting of the dwelling relative to the highway is similar to the existing development in the area and as such would not be out of character in this respect.
9. The overall size of the appeal site is not too dissimilar to other plots in the vicinity of the site. However, whilst I acknowledge that the width of the site is greater than most, it is also much shallower in depth.
10. The width of the proposed dwelling would be much greater than other properties in the area and would fill a substantial amount of the width of the plot. This, combined with the shallow depth of the plot, would lead to a development that would not respect the prevailing character of development in the area.
11. Whilst the built form of the development would leave a significant gap between the dwelling and No 34 it would still erode the open character and quality of the area by extending development further along Church End in an undesirable fashion giving rise to significant harm to the rural character of the area.
12. The Council in their reason for refusal have referred to paragraph 55 of the National Planning Policy Framework (the Framework). This seeks to promote sustainable development in rural areas and indicates that housing should be located where it will enhance, or maintain, the vitality of rural communities. However isolated homes in the countryside should be avoided unless there are special circumstances.
13. The dwelling would not be physically isolated in the sense that it would be adjacent to another dwelling on Church End. In terms of access to services, Catworth is a smaller settlement as defined by Policy CS3 of the CS. From my site visit I saw there was a church, a garage, the village hall, a public house and a shop. The route to the main part of the village would be along Church End, which is a single carriageway road with no footpath and limited street lighting.
14. Whilst Catworth have some local facilities, the distance to the site from the parts of the village where the facilities are located and the nature of Church End would mean that residents of the new dwelling would have to rely heavily on the facilities and services of other larger settlements which would invariably involve regular travel by the private motor vehicle which is the least sustainable mode of transport. In this sense the dwelling would be isolated

and not in a sustainable location and would therefore be in conflict with the Framework and Policy CS1 of the CS.

15. The proposed dwelling is described as an eco-lodge and would use materials with a low carbon footprint. It would also incorporate heat recovery and rainwater harvesting. The Council have not raised any concerns over the design or appearance of the dwelling being a single storey property clad in timber with roof shingles and I have no reason to disagree.
16. Whilst these features of the development are positive elements of the scheme, to my mind, the overall development would not be of an exceptional quality which would be truly outstanding or innovative as to amount to such special circumstances to warrant the granting of planning permission.
17. I have also had regard to the other developments which have been granted permission within Catworth. The site at 23 Church End is located between two existing properties and as such is significantly different from the appeal site. The sites at 33a Church Road and 18 The Hoppings appear to date back to 2007 which was before the adoption of the CS and therefore different planning policies applied when considering the built up limits of the village. In respect of 34 Station Road, other than a site location plan, I have not been provided with any details of that development or the circumstances behind it. Moreover, each case must be considered on its merits.
18. For the above reasons, I conclude that the dwelling would lead to unacceptable harm to the rural character and appearance of the area. The development would therefore be in conflict Policies En17, En25, and H32 of the 1995 Plan, Policy CS1 of the CS, and Policies LP11, LP15 and LP26 of the Draft Plan; and the Framework which amongst other matters seek to protect the rural character and appearance of the area.

Conclusion

19. Taking all matters into consideration, including some support from the Parish Council and local residents, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR