

Appeal Decision

Site visit made on 25 April 2017

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

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

Decision date: 17th May 2017

Appeal Ref: APP/C1570/W/17/3167113

**Land between Hawthorns and Wytewais, Gransmore Green Lane,
Gransmore Green, Felsted CM6 3LA**

- 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 P Moore of KG Moore Partnership against the decision of Uttlesford District Council.
 - The application Ref UTT/16/2827/OP, dated 30 September 2016, was refused by notice dated 7 December 2016.
 - The development proposed is erection of 1no. dwelling with garage/outbuilding and related infrastructure.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of 1no. dwelling with garage/outbuilding and related infrastructure at land between Hawthorns and Wytewais, Gransmore Green Lane, Gransmore Green, Felsted CM6 3LA in accordance with the terms of the application, Ref UTT/16/2827/OP, dated 30 September 2016, subject to the following conditions:
 - 1) Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
 - 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
 - 3) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
 - 4) The development hereby permitted shall be carried out in accordance with the following approved plans: SPD2 Rev A (but only in respect of those matters not reserved for later approval) and SPD1 Rev A.
 - 5) Development shall not commence until details showing the means to prevent the discharge of surface water from the development onto the highway have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first occupation of the development and shall thereafter be retained.
 - 6) Prior to the first occupation of the development, details of the crossing of the highway verge shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior
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to the first occupation of the development and shall thereafter be retained.

- 7) The width of the access at its junction with the highway shall not be less than 3 metres and shall be retained at that width for 6 metres within the site. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 8) Each vehicular parking space shall have minimum dimensions of 2.9 metres by 5.5 metres and the garage shall have a minimum internal dimension of 7 metres by 3 metres.

Application for costs

2. An application for costs was made by KG Moore Partnership against Uttlesford District Council. This application is the subject of a separate Decision.

Procedural Matter

3. The planning application was in outline with all matters reserved except for access. I have had regard to the site layout drawing SPD2 Rev A and street scene elevation drawing SPD3, but have regarded all elements of these drawings as indicative apart from details of the access shown on drawing SPD2 Rev A.

Main Issue

4. The main issue is whether the proposed development would provide a suitable location for housing, having regard to the character and appearance of the area.

Reasons

5. Gransmore Green comprises a small group of houses mostly to the south of the B1417 along Gransmore Green Lane. Housing on the east side of the lane follows a linear pattern of development, with buildings regularly spaced as far as Wytewais, with greater gaps beyond. Notwithstanding the greater gaps, the character and appearance of the east side of the lane is domestic and spacious with a line of buildings, gardens and boundary treatments dominating views along the lane as well as from the public footpaths to the north and south-east of the appeal site.
6. The appeal site is considered to be within the countryside where Policy S7 of the Uttlesford Local Plan 2005 ('the Local Plan') applies. The policy seeks to protect the countryside for its own sake by restricting development to that which needs to take place there, or is appropriate to a rural area. Paragraph 6.14 of the Local Plan notes that sensitive infilling of small gaps within small groups of houses outside development limits but close to settlements will be acceptable subject to the development being compatible with the character of the surroundings and having a limited impact on the countryside in the context of existing development.
7. The appeal site forms part of the gap between the built form of Wytewais and Hawthorns and consists of undeveloped land covered in grass. Hedgerows run along the front boundaries of both neighbouring properties, but the site itself is open to the lane. Boundary planting and fencing forms the side boundaries with both adjoining properties, with a post and rail timber fence along the

remaining boundary. There are views from the lane across the site to the field and countryside to the east, but these are limited by the above boundary vegetation and fencing and only seen from the relatively short site frontage. When viewed from the public footpaths to the north and south-east, the site does not appear as a significant gap or undeveloped space. Thus, the site forms part of the domestic and spacious character and appearance of the east side of the lane.

8. While all matters are reserved except for access, the site is sufficiently large to accommodate a detached dwelling with garage/outbuilding and related infrastructure. Depending on the detailed design, it would be possible for a dwelling to reflect the character and appearance of this side of the lane with appropriate landscaping. It would not result in the loss of a significant gap or harm views across the countryside, but instead would represent the sensitive infilling of a gap between houses in keeping with its surroundings. Therefore, it would have an acceptable effect on the character and appearance of the area.
9. In conclusion, the proposed development would provide a suitable location for housing having regard to the character and appearance of the area. Thus, it would accord with Policy S7 of the Local Plan which seeks to only permit development if it protects or enhances the particular character of the part of the countryside within which it is set. It would also accord with Policy GEN2 of the Local Plan which, amongst other things, seeks development compatible with the scale, form and layout of surrounding buildings. The development would also meet the aims of the National Planning Policy Framework as it would recognise the intrinsic character and beauty of the countryside as highlighted by paragraph 17.

Other Matters

10. I note concerns from the occupier of Hawthorns about raised ground levels between his property and Wytewais resulting in flooding problems. The land within the appeal site did not appear significantly raised at my site visit and it was not possible to tell whether flooding is an issue. However, details of surface water discharge can be controlled via a planning condition, which would help to address any potential issues.
11. There is general agreement between the main parties that the development would provide some economic benefits from the construction of the dwelling and from the investment into local services, as well as a social benefit from the contribution to local housing supply. The site is within walking distance of bus stops that provide reasonably frequent services to nearby settlements.
12. The appellant contests the Council's statement that it can demonstrate a five year housing land supply. However, as I have found that the proposal accords with the development plan, there is no need for me reach a firm conclusion on this matter. The social and economic benefits that arise from the provision of a new dwelling are not outweighed by any adverse effects. Thus, the proposal represents sustainable development.

Conditions

13. I have imposed standard conditions relating to the submission and timing of reserved matter applications and the commencement of development. It is necessary to require compliance with drawing SPD2 Rev A, but only in relation

to access as this is not a reserved matter. It is also necessary to condition details on the access and parking design, as well as surface water discharge, as these cannot be addressed at reserved matter stage.

14. It is necessary for the surface water drainage condition to be dealt with prior to the commencement of development given that its design could affect the overall layout and landscaping. I have not imposed a condition relating to a vehicle turning facility as the road is not heavily trafficked and the risk to highway safety is low.

Conclusion

15. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

Tom Gilbert-Wooldridge

INSPECTOR