



Appeal Decision

Site visit made on 1 October 2019

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th November 2019

Appeal Ref: APP/V0510/W/19/3233137

Site West Of 9A Nelsons Lane, Haddenham, Cambridgeshire

- 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 D Alsop against the decision of East Cambridgeshire District Council.
 - The application Ref 19/00261/OUT, dated 26 February 2019, was refused by notice dated 16 April 2019.
 - The development proposed is demolition of existing agricultural structures and erection of one dwelling with garage and associated works.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the site address from the appellant's appeal form, as the site address on the application form was not completed, with only a description provided. I consider this provides a more accurate description of the site's location.
3. The description of the development provided by the appellant identifies that the proposal is for the erection of one dwelling with garage and associated works. The proposal is in outline with only access to be determined at this stage. The submitted site plan (19-604-003-rev A) and block plan (19-604-002-rev A) are therefore indicative in respect of scale, appearance, layout and landscaping.

Main Issue

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

Reasons

5. The site lies on the southern edge of the village of Haddenham and is located off Hitches Piece, which is a public footpath, also known as footpath 31. It is a single unmade track, which is used for vehicles and accessed from Nelson's Lane, which is a single-track tarmac road. The appeal site is located outside of the development envelope for the village of Haddenham, as such it is classified as countryside. This part of the village is characterised by agricultural fields.
6. The site is agricultural in nature, containing open steel-frame structures, farm machinery shelters and storage. The site is bound by trees and hedges. There are some areas of grass and hardcore. There is an existing gated vehicular access to the site via Hitches Piece. There is residential development to the

north, along Nelsons Lane, and east, along Lode Way and fields to the west. Although, there are a number of detached bungalows on the nearby roads, there is a mix of scales and types of dwellings in the vicinity,

7. The proposal seeks to demolish the existing agricultural structures and erect one dwelling with a garage and associated works. Whilst I note that there are existing structures on the site, these are the type that you would expect in a rural and edge of settlement location. The proposed dwelling would introduce a residential dwelling in a rural location. The nearby residential dwellings, whilst visible from the site are some distance away and do not border the site. Therefore, in terms of the existing pattern of development, they feel detached from the context of the site. Further, these dwellings are also within the development envelope of Haddenham.
8. Given that the site is readily visible from the public right of way, it would result in a visually intrusive form of development in this edge of settlement location, and would introduce an incongruous feature in the landscape. The proposed dwelling would give the area an urbanising effect and would harm the rural character and appearance of the lane.
9. The appellant has stated that there are existing structures on site which are not in a good state of repair and visually unappealing. Whilst the appellant has stated the dwelling would follow the prevalent style and scale of development nearby, and be modestly-scaled with quality materials and good landscaping, it would be a stark feature in the landscape. In any case the presence of existing agricultural structures on the site, is not a reason in itself to allow the introduction of a residential property on the site.
10. The appellant has made reference to nearby planning applications which have been approved¹. However, their presence does not automatically mean this proposal should be allowed. Further I do not have full details of the schemes before me, or the reasons why they were deemed acceptable. In any event, I must assess the scheme on its on individual planning merits.
11. It has been suggested by the Council that in order to achieve an acceptable access, part of the Public Right of Way would need to be metalled. However, there appears to be an absence of substantive evidence from the Local Highways Authority (LHA) as to whether this is required for one dwelling, and what it might look like. I also note that the LHA has not objected to the principle of the development. The introduction of a hardening of the surface of the Public Right of Way would not significantly affect the rural views and openness which are the key part of the character and appearance in this area and so would not be harmful.
12. However, for the reasons set out above, the proposed development would have a harmful effect on the character and appearance of the area. Therefore, it would be contrary to policies ENV1 and ENV2 of the East Cambridgeshire Local Plan, adopted 2015. These policies seek new development to preserve, enhance or enrich the character and complement local distinctiveness by relating well to existing features.

¹ Planning application reference 18/00179/FUL, land west of 11 Nelson's Lane – Full application for a single storey 4 bedroom dwelling;
Planning application reference 17/01342/FUL - new dwelling on the corner of Nelsons Lane and Hitches Piece; and
Planning application reference 17/00559/OUT (and subsequent 18/00444/RMA) at land west of builder's yard Hod Hall Lane - Outline application for 3 dwellings.

Other Matters

13. The appellant has suggested that the occupants of the proposed development would be able to get to a school and would be able to get to public transport routes to neighbouring villages and Ely. However, I have been provided with little information on these services or the distances involved. Therefore, I only afford this limited weight.

Planning Balance and Conclusion

14. The Council has confirmed that it cannot currently demonstrate a 5 year housing land supply as required by paragraph 73 of the National Planning Policy Framework (the Framework), with its land supply currently being 3.70 years². Therefore, the relevant policies of the development plan are considered to be out-of-date. As a consequence, the presumption in favour of sustainable development as outlined in Paragraph 11 of the Framework is engaged. The presumption in favour of sustainable development indicates that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
15. I acknowledge the points by the appellant that the proposed development would provide an additional house and a social benefit, particularly in a district which has a shortage of housing. There would also be economic and community benefits from the investment in its construction and subsequent occupation and future spending. However, the nature of these benefits would be limited due to the small scale of the proposal. In terms of addressing the Council's housing land supply shortfall, the proposal would only have a very limited impact.
16. Set against these benefits there would be significant environmental harm due to the adverse effect on the character and appearance of the area.
17. Therefore, taking into account all matters, I conclude that the adverse impacts of the development would significantly and demonstrably outweigh the benefits, and as such, the proposed development would not constitute sustainable development.
18. For the reasons set out above, I conclude that the appeal should be dismissed.

D Peppitt

INSPECTOR

² Five year Land Supply 1 April 2019 to 31 March 2024 – East Cambridgeshire District Council (June 2019)