



Appeal Decision

Site visit made on 22 October 2019

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 December 2019

Appeal Ref: APP/V0510/W/19/3233480

Easting 545061 Northing 280554, Land to the West of Whitegate Cottage, Witcham Road, Mepal.

- 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 Ms and Mr Alderson & Thorne against the decision of East Cambridgeshire District Council.
 - The application Ref 19/00320/OUT, dated 01 March 2019, was refused by notice dated 29 April 2019.
 - The development proposed is erection of up to 2 dwellings, 2 double cartlodges, access and associated works.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The site address given on the application form differs from that used in the appeal form and in the Council's decision notice. For clarity I have considered the appeal on the basis that the site lies immediately west of Whitegate Cottage, Witcham Road, Mepal, as clearly shown on plan 003.
3. The application is for outline planning permission with some matters reserved. The application form states that the only matter for which approval is sought at this stage is access. The appellant has submitted an 'illustrative site layout' plan with the appeal (Ref 18-536 3 010). Although this did not form part of the decision, I consider that no one would be prejudiced by accepting the plan at this stage on the basis of it being illustrative only. The plans submitted with the application include a 'proposed site plan'. However, given that layout, scale, appearance and landscaping are reserved matters, I have treated these plans solely as an indication of how the site might be developed.

Main Issue

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

Reasons

5. The site comprises a corner of a field located immediately to the west of the boundary of Whitegate Cottage, which is the most western property forming part of a small cluster of development, comprising of residential properties and agricultural buildings, sited on the southern side of Witcham/Mepal Road. This group of buildings is located between the villages of Witcham and Mepal. The

land extending from the western and eastern ends of the buildings to the built boundaries of the 2 respective villages consists of open fields. The site lies within open countryside in planning policy terms.

6. The proposal would require the removal of a section of an established hedge to provide vehicle and pedestrian access to the proposed dwellings. The hedge either side of the proposed access would also have to be trimmed back to a degree, and maintained as such, in order to provide adequate visibility splays.
7. The use of the land to introduce 2 detached dwellings, access driveways and the resultant domestic curtilages, with the resultant domestic paraphernalia that is likely to follow, would be an encroachment into the open countryside that would be evidently visible not only through the gap created in the hedge but also above it.
8. I consider that this encroachment would erode the open countryside between the existing limit of built development comprising the cluster of dwellings and agricultural buildings, and the built development boundary of Mepal. It would also erode the hedgerow, which is a significant feature of the rural environment. As such, I conclude that the proposal would significantly harm the character and appearance of the area.
9. Consequently, the proposal would not accord with policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan (2015) (LP) or paragraph 127 of the Framework, which collectively seek to ensure development conserves and where possible enhances the pattern of traditional landscape features, such as hedgerows and space between settlements. Development should also be of the highest quality design having regard to, and being sympathetic to, local context, character and the landscape; it should also take advantage of opportunities to preserve or enhance the character or appearance of the area.

Other Matters

Isolated dwellings in the countryside

10. Paragraph 79 of the Framework advises that planning policies and decisions should avoid the development of isolated homes in the countryside, unless one or more of a list of circumstances apply. The Court of Appeal has concluded¹ that the word "isolated", in the phrase "isolated homes in the countryside", simply connotes a dwelling that is physically separate or remote from a settlement. Consequently, whether a proposed new dwelling is, or is not, "isolated" in this sense is a matter of fact and planning judgment for the decision-maker in the circumstances of the case in hand. Given that the proposed dwellings would be sited at the end of a cluster of dwellings and agricultural buildings, I consider that they would not constitute isolated homes in the countryside, as referred to in Paragraph 79 of the Framework.

Access to services and facilities and promoting sustainable transport

11. Both parties have drawn my attention to an appeal decision allowing a new dwelling not far from the appeal site (Ref APP/V0510/W/17/3176571). Although the site specific circumstances are not directly comparable, I think it is reasonable to compare the schemes in terms of access to services and facilities and the promotion of sustainable transport.

¹*Braintree DC v SSCLG, Greyread Ltd & Granville Developments Ltd [2018] EWCA Civ 610*

12. The Inspector in appeal Ref APP/V0510/W/17/3176571 concluded that the dwelling would be located within proximity to the villages of Mepal and Witcham and future occupiers would have reasonable access to the facilities and services available in these villages. The Inspector also concluded that, as there was some scope for travel by bicycle and walking and the use of wider rural bus services, the travel pattern generated by the proposal would not conflict with the sustainability requirements of the LP or the Framework. In these regards, I have no reason to disagree with these conclusions in respect of the appeal before me.
13. My attention has been drawn to other residential developments in the area that the Council has approved. However, I do not have the full details of these schemes and I cannot be sure that they are directly comparable to the scheme before me.

Planning Balance

14. The Framework refers to 3 dimensions of sustainable development, ie economic, social and environmental. The proposal would provide 2 additional dwellings which would make a small but nonetheless important contribution to the housing needs of the area, where there is an acknowledged shortfall². The proposed dwellings would also help maintain the vitality of rural communities, with future occupants contributing socially and economically, and there would be short term economic benefits arising from the construction phase of the proposed development.
15. However, notwithstanding the benefits outlined above and the Government's objective to significantly boost the supply of housing, I have identified that the proposal would result in environmental harm, which I consider would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. The proposal does not therefore constitute sustainable development.
16. Notwithstanding my conclusions regarding the location of the proposed development not resulting in isolated homes in the countryside, that future occupiers would have suitable access to key services and facilities and that sustainable transport would be promoted, these considerations neither individually nor collectively outweigh the substantive environmental harm I have identified.

Conclusion

17. For the reasons outlined above, I conclude that the appeal is dismissed.

J Williamson
INSPECTOR

² I have not been provided with enough detail to be able to conclude what the extent of the shortfall is. However, the appellant has suggested that this has fallen to 3.7 years and the Council has not refuted this figure.