
Appeal Decision

Site visit made on 21 January 2020

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th February 2020

Appeal Ref: APP/C1570/W/19/3241323

Land North of Henham Road, Debden Green CB11 3LX

- 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 Barbara Bonham against the decision of Uttlesford District Council.
 - The application Ref UTT/19/1054/OPP, dated 29 April 2019, was refused by notice dated 8 November 2019.
 - The development proposed is erection of 2 no. detached dwellinghouses complete with related infrastructure, including access.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The original application was made in outline with only means of access to be determined. I have dealt with the appeal on the basis of drawings SPD1 Site Location Plan; SPD2 Land Use Context Plan and SPD3 Access Plan. I have considered the other plans as being for illustrative purposes only.

Main Issue

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

Reasons

4. The site is located in Debden Green which is a small settlement about 1.5 miles south east of Debden. The appeal site comprises part of a paddock which is located along Henham Road, where the majority of the development within Debden Green is located. To the south and west of the site is existing residential development which forms part of a grouping of dwellings along Henham Road.
5. The site is screened from the road by existing landscaping and has no direct frontage access, with the access being located at the far end of the site furthest from the other development within Debden Green. The use of land for equestrian purposes forms part of the rural character of the area and is a use which is common place in rural areas.
6. The site is outside of any defined settlement boundary and is therefore in the countryside for planning policy purposes. I have taken account that there are a number of dwellings located along Henham Road and therefore given its

- grouping with other dwellings the site is not isolated in the context of paragraph 79 of the National Planning Policy Framework (the Framework).
7. The proposal is for two dwellings sited opposite Barnards Cottage. Whilst layout is not before me for consideration, the indicative block plan demonstrates how the dwellings would relate to the other developments which sit along Henham Road. The indicative block plan also shows that the rectangular part of the site would be of a sufficient size to accommodate two dwellings with good-sized gardens together with a shared area for parking and turning of vehicles.
 8. However, the majority of development within Henham Road is sited to the south and west of the site and therefore the character of the north side of the road looks to be very different from that on the south side. The appeal site, whilst screened from the road by landscaping contributes to the open rural appearance of this part of Henham Road.
 9. The appellant has made reference to the scale and layout of the proposal and how this has been developed to take into account the character of the area. However, as an outline application this detail is not before me for consideration.
 10. The proposal would extend development along this part of Henham Road and the introduction of dwellings in this location would alter the character and appearance of this rural site. In addition, the proposed dwellings would lead to a more intensive use of the site. This would include an associated increase in domestic paraphernalia, thereby eroding the open and rural character of the immediate area.
 11. Whilst the site is generally screened from public vantage points by existing landscaping, these would unlikely endure for the lifetime of the development. In any event, even with the screening in place there are views of the site from the existing access. Therefore, from these localised viewpoints the development would be noticeable and this urban form would intrude into the countryside, beyond the edge of the current settlement.
 12. This harm would be exacerbated by the length of the access road which would extend along the entire frontage of the site. The access road would run along the edge of the paddock in order to utilise the existing field entrance to the east of the site. I consider this layout would appear contrived and at odds with the general pattern of development in the area, which is characterised by single points of access located within the frontages of existing dwellings.
 13. The introduction of development in this location, would lead to an intrusion into the countryside, failing to recognise the intrinsic rural character of the countryside. The development would conflict with policy GEN2 of the Uttlesford Local Plan 2005 (LP) which looks for development to be compatible with the scale, form and layout of surrounding buildings and policy S7 of the LP which seeks to strictly control development in the countryside. Development will not be allowed unless it would protect or enhance the particular character of the countryside.

Other matters

14. Reference has been made to other dwellings that have been permitted within Debden Green, however the characteristics of each site are different and the

circumstances that applied to other cases may not be directly comparable to the appeal proposal.

15. The appellant has advised that the development would add to the Council's self build register, however there is no mechanism before me to secure this and therefore I can only give this limited weight.
16. Whilst Policy S7 of the LP is only partially consistent with the Framework as it is more restrictive in that it seeks to protect the countryside for its own sake, it also seeks to protect and enhance the natural environment, which is an important part of the Framework. Therefore, I consider it should be afforded significant weight when considering development proposals in the countryside.

Planning Balance

17. It is not disputed that the Council is currently unable to demonstrate a 5 year supply of deliverable housing sites, with the evidence putting current supply at 3.29 years. Therefore, paragraph 11 of the Framework is engaged, whereby planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.
18. A development of two dwellings would make a limited contribution to housing supply. Economic benefits arising from construction would be short term and similarly limited.
19. On the other hand, I have found that the proposal would give rise to unacceptable harm to the local environment. This is a matter I give significant weight, even though Policy S7 of the LP is not fully consistent with the Framework due to its more restrictive approach to protecting the countryside for its own sake.
20. Consequently, I consider that the adverse impacts of granting permission would significantly and demonstrably outweigh the limited benefits, when assessed against the policies in the Framework as a whole. I therefore find that the presumption in favour of sustainable development does not apply to this case.

Conclusion

21. For the reasons given above, I find that the proposal conflicts with the development plan when considered as a whole. There are no other considerations that outweigh that conflict. I therefore conclude that the appeal should be dismissed.

G. Pannell

INSPECTOR