
Appeal Decision

Site visit made on 2 September 2020

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 29 September 2020

Appeal Ref: APP/C1570/D/20/3249220

Winsey Farm, Camps End, Castle Camps CB21 4TR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by C O'Malley against the decision of Uttlesford District Council.
 - The application Ref: UTT/19/2587/HHF, dated 16 October 2019, was refused by notice dated 15 January 2020.
 - The development proposed is a reduction of garage structure to form retain a triple garage and store.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development upon the character and appearance of the surrounding area

Reasons

3. The appeal site consists of a dwelling located within open countryside. To the front of the dwelling is a courtyard. In this courtyard are other buildings, including some used as outbuildings. The site's boundary treatments include walls and landscaping. The surrounding area is open countryside. The site is a significant distance away from the road and the nearest settlement. There are also footpaths in the vicinity of the appeal site.
4. By reason of the height and footprint of the proposed development, the building would increase the level of built form within the surrounding area, which would be viewed alongside several other existing buildings.
5. This poses a concern as the surrounding area can be characterised as being open countryside that is reasonably level in nature. In consequence, the proposed development would be visible from several different vantage points including some that are a notable distance away from the appeal site. This would result in an erosion of the rural, undeveloped character that defines the surrounding area. Whilst the appeal site has some boundary treatments, their form and position are such that the screening effect would only be partial.
6. The appeal site is close to footpaths. In result, the proposed development and its erosion of the open, less developed, character of the vicinity has the potential to be experienced by a greater number of people. Although there is some landscaping at the property, and the evidence before me indicates that

this would increase, the screening effect would not be total. These factors mean that the proposal would have an unduly prominent position within the environs of the site.

7. Although the proposed building is within the curtilage of a dwelling, the development would be viewed alongside the surrounding countryside. In consequence, the proposed development would result in an erosion of the rural character by reason of the increase in built form, which would contribute to a loss of the open character that defines the area surrounding the appeal site. Although the surrounding countryside is not defined as being in the Green Belt, it does have a distinctive character that would be eroded by the proposal.
8. I acknowledge that the appeal site contains an existing garage that would be altered in order to facilitate the proposed development. Whilst this building has a larger footprint than the appeal scheme, the evidence before me is indicative that this structure does not benefit from planning permission. Accordingly, it cannot be attributed significant weight as it does not represent a fallback position. Therefore, whilst the proposed building is smaller than the existing structure, as its retention cannot be ensured, the presence of the existing building does not allow me to forego my previous concerns.
9. The proposed development would enable some materials to be reused, which would be of some benefit. However, these benefits are limited by reason of the scale of the proposal. Accordingly, this does not outweigh the previous points.
10. Whilst the proposed development would be smaller than the other buildings within the appeal site, the development would result in an increase in the built form within the site, which would lead to an erosion of the rural character of the surroundings.
11. I note that there are several buildings within the wider area. I do not have information regarding their planning circumstances. However, the other buildings are a significant distance away from the appeal site. Furthermore, any views of the buildings within the wider area are relatively fleeting and are screened, to some extent, by various items of landscaping. In consequence, whilst there are some buildings within the wider area, their positioning and relationship with the landscape is such that they do not have the same effect upon the character and appearance of the area surrounding the appeal site as the scheme before me would have.
12. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The development would therefore fail to comply with the requirements of Policies GEN2 and S7 of the Uttlesford Local Plan (2005). These policies, amongst other matters, seek to ensure that new developments safeguard important environmental features and that development is appropriate for a rural area.

Other Matters

13. I note that the proposed development is unlikely to affect the living conditions of the occupiers of neighbouring properties. Whilst this is a matter of note, this is only one of all the matters that must be considered. Accordingly, this does not outweigh my previous conclusions.

14. I acknowledge concerns raised regarding the manner in which the Council considered the planning application. However, in assessing this appeal, I have limited my considerations to the planning matters before me.

Conclusion

15. For the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR