



Appeal Decision

Site visit made on 16 March 2021 by Emma Worby BSc (Hons) MSc

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 April 2021

Appeal Ref: APP/C1570/W/20/3262965

Attwood House, Duck Street, Cox Hill, Great Easton CM6 2HL

- 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 Martin Doolan against the decision of Uttlesford District Council.
- The application Ref UTT/20/1268/OP, dated 1 June 2020, was refused by notice dated 14 October 2020.
- The development proposed was originally described as a 2 storey 4 bedroom dwelling.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The application which is the subject of this appeal was made as an outline application with all matters (access, layout, appearance, landscaping and scale) reserved for future consideration. As such I give little weight to the plans showing the layout of the site, the scale of the dwelling's footprint and the position of the accesses.
4. Both parties appear to have agreed on an amended description from a 2 storey 4 bedroom dwelling, as specified on the application form, to a single storey 2 bedroom dwelling, although this was not reflected in the Council's decision notice. However, as above, as the application is outline with all matters reserved, I give limited weight to the dwelling's height and the number of bedrooms.

Main Issues

5. The main issues in the appeal are:
 - the effect of the proposed development on the character and appearance of the surrounding area; and
 - the effect of the proposed development on highway safety.

Reasons for the Recommendation

Character and Appearance

6. The appeal site forms part of Attwood House, currently used as garden space with a double garage, vehicle parking and access to the adjacent road. The site is located on a junction opposite a small triangular green and is in a rural location on the edge of the main section of built form within Great Easton. It is also located just outside of the Great Easton Conservation Area.
7. Due to the location of the site on a junction and in close proximity to the road, the proposal would be highly visible from the public realm. Currently it is open and green in nature, providing a gap between the properties in an area where the density of built form is low, contributing positively to the character and appearance of the area. A dwelling on the site would be a much larger and more imposing structure on the site and surrounding area than the current garage. The proposal would infill the existing gap between Attwood House and the neighbouring dwelling, Zitrey, increasing the level of built form on the site to the detriment of the spacious surrounding area. Furthermore the site is relatively small and although the proposed garden may meet the space standards, a dwelling in this location, regardless of its size, would appear shoe-horned and incongruous, resulting in an overdeveloped appearance.
8. The rural and open nature of the site at present also contributes positively to the adjacent Great Easton Conservation Area and therefore the proposal would have some impact upon the setting of a heritage asset. The increase in built form on the site and the loss of the existing gap between the two existing dwellings would degrade the rural and open nature of the site which would be moderately harmful to the setting of the adjacent Conservation Area.
9. Consequently, the proposed development would harm the character and appearance of the surrounding area and the setting of the Great Easton Conservation Area. It would therefore conflict with Policies S7 and ENV1 of the Uttlesford Local Plan (ULP) 2005 which only permits development which protects or enhances the particular character of the part of the countryside within which it is set and seeks to preserve Conservation Areas. It would also conflict with the general design objectives of the National Planning Policy Framework (the 'Framework').
10. Although it has been found that the proposal would not preserve the setting of the Conservation Area, as the site is not within the Conservation Area the harm to the significance of the Great Easton Conservation Area is less than substantial. The Framework requires where there would be less than substantial harm, for it to be balanced against the public benefits of the scheme.
11. There would be a limited public benefit in that the proposal would provide one additional dwelling to contribute to the local supply of dwellings. However due to the small nature of the development I give this matter limited weight. The public benefits of the scheme do not outweigh the less than substantial harm to the heritage asset previously identified.

Highways Safety

12. Although access would be a reserved matter for future consideration, the proposed site plan indicates that the proposal would relocate the current vehicular access closer to the boundary with the neighbouring property, Zitrey. The plan shows that cars are able to turn around within the site. There is also an additional access and parking area proposed to serve the existing dwelling, Attwood House.
13. It is noted that at present, the parking to the front of or within the garage requires vehicles exiting the site to reverse onto the carriageway or when entering the site reversing from the road into the site. However, as an additional dwelling and access point is proposed, the intensity of vehicles entering and exiting the site would be likely to increase. Nevertheless, the increase in vehicles movements to and from the site would be minimal and would not result in significant harm to highway safety. The necessary visibility splays and turning points can be agreed at reserved matters stage depending on the precise location of the accesses.
14. Therefore, the proposed development would not conflict with Policy GEN1 of the ULP which states that development will only be permitted if the design of the site does not compromise road safety. It would also comply with the highway safety requirements of the Framework.

Planning Balance

15. The Council have stated that they cannot demonstrate a five-year supply of deliverable housing sites, with the most recent figures provided indicating a provision of around 2.68 years which is a moderate shortfall. Therefore, because of the provisions of footnote 7, paragraph 11 (d) of the Framework should be applied. Part i. of paragraph 11 d) means planning permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. As it has been found that the proposal would result in harm to the setting of the Great Easton Conservation Area, the policies in the Framework that seek to protect this heritage asset provide a clear reason for refusing the development proposed. As a result, the presumption in favour of sustainable development does not apply.
16. In view of the above, the proposal would be contrary to the aims of the development plan as a whole, and there are no other considerations, including the Council's shortfall in the supply of housing land or the lack of harm to highway safety, which outweigh this finding.

Conclusion and Recommendation

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Emma Worby

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR