

Appeal Decision

Site Visit made on 16 November 2021

by Luke Simpson BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 December 2021

Appeal Ref: APP/C1570/W/21/3275116

Lion Cottage, Stortford Road, Little Canfield CM6 1SR

- 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 Mrs Sian Meads against the decision of Uttlesford District Council.
 - The application Ref UTT/20/3330/FUL, dated 16 December 2020, was refused by notice dated 18 March 2021.
 - The development proposed is detached bungalow.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). Accordingly, both parties were invited to provide representations in relation to this matter. I have therefore considered this appeal with regard to the revised Framework.

Main Issue

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

Reasons

4. The appeal site comprises an area of previously developed land which has been hard-surfaced to provide a parking area. The site is accessed separately to the dwelling at Lion Cottage and is separated from this dwelling by a fence. There is also a detached triple garage on the site. Despite the modest physical separation, when viewed within the street scene, the appeal site has the appearance of being visually associated with Lion Cottage.
5. The site is located within the countryside. The character of the surrounding area, on this part of Stortford Road, comprises of sporadic linear development. Dwellings on Stortford Road are typically large, detached dwellings which are generally separated from neighbouring properties by swathes of agricultural land. They also typically comprise large plots. Indeed, Lion Cottage itself comprises a relatively large plot.
6. The proposed development is for a detached 1.5 storey dwelling, which would be located directly adjacent to Lion Cottage. This would result in a cramped appearance which would be at odds with the existing spacious nature of the

land surrounding Lion Cottage and the more spacious character of residential development on this part of Stortford Road. This visual harm would be apparent in the street scene, even taking into account the limited height of the proposal. This impact would be exacerbated by the presence of the detached triple garage, which is located towards the front of the appeal site.

7. The settlement of Little Cranfield is located approximately 200 metres to the west of the appeal site. Little Cranfield comprises a comparatively large number of dwellings, with a higher density and a more close-knit layout. However, this is a distinctively different character to the area within the vicinity of the appeal site, which has a far more rural character.
8. The appellant has referred to a planning permission granted by the Council for what she describes as a similar development. However, the site-specific circumstances of that case are not before me and as such this is not a consideration which outweighs my findings. In any case, every case should be considered on its own merits. In this particular case the development would result in a cramped appearance which would not be in-keeping with the more spacious and open character of the appeal site and surrounding area.
9. As such, the proposed development would be contrary to Uttlesford Local Plan (2005) Policies S7, S8 and GEN2. Policy S7 seeks in part to protect the character and appearance of the countryside. Policy S8 relates to the 'Countryside Protection Zone', within which the appeal site is located. It states that development should not adversely affect the open characteristics of the zone. Both of these policies take a more restrictive approach to development in the countryside than that advocated in the Framework. As such, they can only be afforded limited weight. Policy GEN2 is a more general design policy, which seeks in part to ensure that development is compatible with the character of the surrounding area.

Planning Balance

10. The Council's case report indicates that at the time of their decision there was a 3.11 year supply of deliverable housing sites. Therefore, on the basis of the evidence before me the Council cannot demonstrate a five-year Housing Land Supply (HLS).
11. As a result, Framework Paragraph 11d applies. Given that there are no relevant Framework policies which direct refusal within the terms of Framework Paragraph 11d(i), Paragraph 11d(ii) is engaged. As such, 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.
12. In terms of the adverse impacts of the development, I have concluded that the proposed development would be harmful to the character and appearance of the appeal site and surrounding area. As such, the proposed development would be contrary to framework paragraph 130 which requires in part that development is sympathetic to local character, including the surrounding built environment and landscape setting. I consider that substantial weight should be afforded to this harm.
13. There would be some social and economic benefits associated with the proposed development, which would be achieved through an increase in the

local housing stock (noting the HLS shortfall), use of previously developed land, temporary employment generated through the construction period, and a small increase in the local population. However, these benefits can only be afforded limited weight given the small scale of the proposed development.

14. As such, whilst the relevant development plan policies are not wholly consistent with the Framework, having assessed the development against the Framework taken as a whole, I conclude that the adverse impacts of the development would significantly and demonstrably outweigh the benefits.

Conclusion

15. For the reasons given above, the proposed development would conflict with the development plan taken as a whole. Having considered all other matters raised, including the provisions of the Framework, I conclude that the appeal should be dismissed.

Luke Simpson

INSPECTOR