
Appeal Decision

Site visit made on 1 September 2023

by S. Hartley BA(Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 18th September 2023

Appeal Ref: APP/C1570/W/23/3316905

Land adjacent to Fairview, Church Hill, Ashdon, Essex CB10 2HF

- 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 Ford Homes Ltd against the decision of Uttlesford District Council.
 - The application Ref: UTT/22/2309/FUL, dated 18 August 2022, was refused by notice dated 17 October 2022.
 - The development proposed is the erection of 2 No. detached dwellings accessed from the existing access on Church Hill, with associated works.
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Decision

1. The appeal is dismissed.

The Planning Context and the Main Issue

2. It is common ground that the Council is unable to demonstrate a 5 year supply of deliverable housing sites. Therefore, paragraph 11(d) of the National Planning Policy Framework 2021 (the Framework) is engaged.
3. In the context of the above, the main issue is the effect of the development upon the character and appearance of the area.

Reasons

4. The appeal site lies to the south of Church Road between the settlements of Church Hill to the southwest and Ashdon to the northeast and is in a rural location beyond the existing village limits.
5. There is an absence of buildings on the site and which forms part of a much wider agricultural area. Established mature vegetation in the form of a hedgerow and trees are located along the boundary to the road.
6. Located to the west of the site are two dwellings known as Fairview and Hillcrest, while to the east is a linear row of dwellings with a mixture of sizes and building forms.
7. The local planning authority (LPA) has referred to an undated, non-statutory landscape appraisal study for the area which describes the appeal site as being located in the Ashdon Farmland Plateau, characterised by strong rolling landform rising to a broad, open plateau, dissected by small streams whose valleys give great variety to the countryside. This produces an upland landscape character with wide-open vistas on the ridge tops, and also enclosed

wooded areas in the valley bottoms. This is an area characterised by the absence of towns. On my site visit, I was able to concur with this description.

8. I acknowledge that the appeal site is largely hidden from view from the adjoining road by mature landscaping. However, there are public vantage points to the south and from which I was able to view the appeal site on my site visit. The urbanising impact of the proposed development would have an adverse impact upon the rural setting.
9. While the appeal site has no formal landscape designation or protection, it nevertheless forms an attractive rural area. Given the limited built development, I consider that the proposed development, by extending urban development into it, would diminish the quality of the mainly open and attractive rural vista, resulting in significant harm to its character and appearance when appreciated from adjoining public vantage points.
10. The appellant considers that the proposed development would constitute an infilling of a small gap between existing development. However, I consider that the distance between existing properties is such that the development cannot reasonably be regarded as the infilling of a small gap, especially when a gap would continue to remain. Furthermore, the appellant concedes that any such infilling is dependent on there being no adverse impact upon the character and appearance of the area, but where I consider that this requirement would not be met.
11. Therefore, I conclude that the proposed development would be contrary to policy S7 of the Uttlesford Local Plan (2005) where development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set. For the same reason it would not accord with the Framework.

Other considerations

12. The LPA is unable to demonstrate a 5-year supply of housing sites. In this context, the provision of two additional dwellings would contribute positively to the shortfall in housing supply. Nonetheless, I do not afford significant weight to this matter given the quantum of dwellinghouses proposed.
13. For the same reason, while the occupants of two extra dwellings might help to sustain services and facilities in the village of Ashdon, the weight which I can afford to this is limited. Any such advantages are also offset by the distance involved from the village, the distance from a bus stop and the lack of a safe footpath route to it.
14. I give neutral weight to the acceptable design of the proposed development, and to the fact that the Highway Authority does not object.
15. Ashdon Hall, located in the vicinity of the appeal site is Grade II listed. Church End Conservation Area is located to the east, and to the south is a medieval rural settlement which is defined as an ancient monument (List Entry Number: 1017387). The LPA's Conservation Officer has concluded that the proposed development would not result in harm to the significance of the adjacent heritage assets. When considering the evidence before me, I have no reason to disagree.

16. However, these matters, neither individually or collectively, outweigh the harm which I have found to the main issue.

Planning balance and conclusion

17. The harm to the character and appearance of the area by the proposed development would not be significantly and demonstrably outweighed by its benefits. Therefore, it would not accord with policy S7 of the LP which aims to protect the countryside from development, or with the Framework which includes the same objective.
18. For the above reasons, I conclude that the appeal should be dismissed.

S. Hartley

INSPECTOR