

Appeal Decision

Site visit made on 3 April 2024

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 22nd May 2024

Appeal Reference: APP/C1570/W/23/3329532

Land at 'The Barns', Stortford Road, Little Canfield, Essex CM6 1SL

- 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 Mr and Mrs D and T McLagan against the decision of Uttlesford District Council.
 - The application (reference UTT/23/0219/OP, dated 27 January 2023) was refused by notice dated 3 July 2023.
 - The development proposed is described in the application form as the erection of a single dwelling.
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Decision

1. The appeal is dismissed.

Preliminary points

2. The application is made in outline, with all matters reserved.

Main issue

3. The main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the surroundings.

Reasons

4. The appeal site is located at the edge of a small group of buildings in the countryside to the south of the A120 dual carriageway road, which is raised on an embankment near the appeal site. At this point, the newer A120 cuts across the old Stortford Road, which turns sharply south, into High Cross Lane. The road in front of the appeal site is a local distributor road that is very different from the dual carriageway, although it carries a significant amount of traffic, including public buses. Stortford Road itself continues only as an access to private land immediately to the south of the A120.
5. Great Dunmow is an important town which lies to the north of the A120 and which is expanding due to the growth of new residential areas. To the south of the main road, however, the surroundings are generally rural in nature, although there is a significant amount of scattered development in the locality. The main built-up area of Little Canfield is located some way to the west of the appeal site.

6. The appeal site itself is an area of open ground that has been separated from the large garden at 'The Barns'. The site is roughly level but it is uneven and overgrown, although some garden plants are still in evidence. It is defined by trees and old hedges on three sides, although the eastern (rear) boundary is less obviously defined. It appears that some buildings stood on the land in the past but these have effectively disappeared.
7. It is now proposed to construct a new dwelling on the appeal site. The planning application does not include much construction detail, but the submitted plan shows an indicative siting for the new building. It also shows that an access to the public highway could be created (or reopened) and the means of access is not contentious.
8. The 'National Planning Policy Framework' emphasises the aim of promoting sustainable development and it acknowledges the importance of the natural and local environment, recognising the intrinsic character and beauty of the countryside, among other things. It also has the more general aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity.
9. The Uttlesford Local Plan was formally adopted as long ago as January 2005 but it underpins the aim of protecting the countryside. Policies in the Local Plan that have been formally "saved" are relevant to the appeal, including Policy S7 (which is concerned with the countryside) and Policy GEN2 (which deals with design considerations more generally).
10. Irrespective of the detailed design of the proposed new dwelling, it would amount to an intrusive element in the countryside. It could be reasonably well screened by the retention and reinforcement of existing trees and hedges but it would be clearly visible in the landscape, nevertheless, and it cannot realistically be described as "infilling". On the contrary, it would amount to a significant expansion of the existing building group. The site in its current state has a largely undeveloped character and even if it were to be more fully used (for example as part of a larger garden), it would have much less visual impact on its surroundings than a new dwelling with its own associated domestic paraphernalia.
11. In short, I am convinced that the proposed development would extend the amount of building in the countryside, eroding its rural character and significantly changing the appearance of this part of Stortford Road and High Cross Lane.
12. Evidently, the proposed development would make a small contribution to the provision of residential properties in the locality and I have noted that the Council's housing land supply target for the District was not being met at the time of the planning application, although the appeal submissions assert that this has now been achieved. In any case, however, I am conscious that one new dwelling would make only a very small contribution to the need for new homes and I have formed the view that the benefits of the project, including the benefit of providing a new family home, are clearly and decisively outweighed by the objections that have been identified.
13. I have also had regard to the extent of development that is taking place in and around Great Dunmow (essentially to the north of the A120) but I am

conscious that each proposal is to be considered on its own merits and that the circumstances and scale of the larger scale developments that have been referred to are different from those that apply in this appeal.

14. In short, I am convinced that the harm that would be done to the character and appearance of the surroundings very clearly outweighs the benefits of the project and I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan). I have determined that it ought not to be allowed, therefore, and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C. Shrimplin

INSPECTOR