
Appeal Decision

Site visit made on 27 January 2025

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 10th February 2025

Appeal Ref: APP/V0510/W/24/3355550

Land north of The Kings Head, Brinkley Road, Dullingham CB8 9UW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr Young against the decision of East Cambridgeshire District Council.
 - The application Ref 24/00853/PIP, dated 13 August 2024, was refused by notice dated 1 October 2024.
 - The development proposed is a self-build 2 storey dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The scope of permission in principle is limited to location, land use and amount of development. To determine the appeal the main issues are:
 - whether the site is suitable for development, having regard to the locational strategy in the development plan; and
 - the effect of the proposal on the character and appearance of the area.

Reasons

3. The proposal is for a dwelling on part of a plot of rough ground on the eastern side of Brinkley Road to the north of a chalet bungalow known as The Garden House which itself lies to the north of the Kings Head Public House. The site, which lies at the top of a steep bank, once formed part of the pub garden and retains a brick built outdoor bar structure and remnants of play equipment. The application relates to the northern part of the plot. The southern section was the subject of an application for a two-storey dwelling which was dismissed on appeal in July 2024¹.

Suitability of location

4. Other than the access, which would be adjacent to that of The Garden House, the site lies outside the development boundary of Dullingham as defined by the East Cambridgeshire Local Plan 2015² (the ECLP). Outside the boundary ECLP Policy GROWTH2 strictly controls development to protect the countryside and the setting of towns and villages and restricts proposals to certain limited

¹ APP/V0510/W/23/3334739

² As amended 2023

categories, none of which apply in this case. The vision for Dullingham set out in the ECLP notes the range of facilities in the village but only envisages new housing on suitable 'infill' sites within the development boundary. Outside, new housing will not normally be permitted.

5. For these reasons, having regard to the locational strategy in the development plan, the site is not suitable for development. The proposal would conflict with ECLP Policy GROWTH2. The 2024 inspector reached the same conclusion in respect of the adjacent site.

Character and appearance

6. The site is well contained by woodland to the north and east which screens it from the wider countryside and the thin hedgerow along the top of the roadside bank would screen the new dwelling to some extent when passing the site. However, the necessary access would involve cutting back and remodelling the roadside bank adjacent to the brick sided access which serves The Garden House, already a somewhat intrusive feature on the approach into the village. With a continuous grass bank opposite, a double access here would represent a significant visual intrusion. In addition, the new dwelling, together with car parking set in a domestic garden curtilage, would be visible through the thin frontage hedgerow with no guarantee that the hedgerow would be retained in the long term. The existing brick bar structure and play equipment are relatively unobtrusive from the road and even taking the removal of these features into account the overall effect of the proposal would be a material extension of the built-up village to the north and a significant encroachment into its rural setting.
7. For these reasons, however the dwelling is designed and located on the site, the proposal would detract from the established rural character and appearance of the Brinkley Road approach into the village, contrary to ECLP Policies ENV1, ENV2 and GROWTH2. These require proposals to protect and conserve the setting of villages and in particular the settlement edge, to complement local distinctiveness, to respect village character and to protect landscape features such as hedgerows. The 2024 inspector reached the same conclusion in respect of the adjacent site.

Conclusion

8. The appellant draws attention to the other material considerations raised by the 2024 inspector. The proposal would provide an additional self-build dwelling which would contribute to local housing needs and bring social and economic benefits to the village. The site is previously developed land and well screened from the wider countryside. The site is also well related to the services and facilities of the village³. However, these material considerations are insufficient to outweigh the conclusions reached in relation to the two main issues and the associated conflict with the development plan. The 2024 inspector reached the same conclusion in respect of the adjacent site. The appeal should therefore be dismissed.

David Reed

INSPECTOR

³ This obviously applies to all sites adjacent to the village boundary.