



Appeal Decision

Site visit made on 15 April 2025

by A Phillips MPlan BA CertHE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th May 2025

Appeal Ref: APP/C1570/W/24/3357421

Howland Farm, Rickling Road, Wicken Bonhunt, Essex CB11 3UH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr S Sumpton against the decision of Uttlesford District Council.
 - The application Ref is UTT/24/2167/FUL.
 - The development proposed is described as a single detached dwelling with associated amenity space and parking in lieu of existing outbuilding and hardstanding.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The revised National Planning Policy Framework (Framework) has been published since the application was determined. My decision is made in the context of the revised Framework. I am satisfied that no interested party has been prejudiced by my approach and both parties have had the opportunity to comment upon it.

Main Issues

3. The main issues are:
 - The effect of the proposed development upon the character and appearance of the local area; and
 - Whether the site is an appropriate location for new residential development having regard to access to services and facilities

Reasons

Character and appearance

4. The appeal site comprises a four bay garage block, garden and a field in use as a commercial operation for the walking of dogs forming part of the plot of Howland Farm House. Whilst linear development is located to the north, Howland Farm House is somewhat divorced from the built form and together with the site is read as forming part of the agrarian landscape that surrounds it on three sides. The undeveloped and verdant nature of the site positively contributes to the wider rural landscape.
5. The site is accessed from a single track country lane, which does not benefit from a public footpath into the village. Wicken Bonhunt has the limited services and facilities of a Thai restaurant, a church and bus stops.

6. The proposed development projects new built form significantly into the countryside and the introduction of built form, associated infrastructure and domestic paraphernalia would unduly affect the rural character of the area by breaking up the rural character that is defined by the open fields on Rickling Road and the verdant nature of the site.
7. It is noted that mature hedgerow bounds the site that would help limit views of the proposal while travelling along Rickling Road. However, while landscaping may well help to blend development into the countryside, there is no substantive evidence to indicate it would remain for the lifetime of the development such that they would continue to screen it. A condition requiring retention of the trees to screen the site would be difficult to enforce. Therefore, the proposal would cause significant harm to the rural character of the area.
8. While there are other chalet style dwellings within the village this proposed one and a half storey dwelling has an overly complex design with the mix of projecting gables, multiple dormers and a grand Georgian style door that conflicts with the chalet style the proposal is seeking. The overall design would further add to the harm to the character and appearance of the area.
9. The proposal would adversely affect the character and appearance of the area. It does not comply with Policies GEN2 and S7 of the Uttlesford Local Plan 2005 (the Local Plan), which seeks to protect and enhance the countryside and ensure new development is compatible with surrounding properties. The Framework supports this by requiring decisions to 'recognising the intrinsic character and beauty of the countryside' and states that it is fundamental that new development is both high quality and beautiful. With the development falling below this standard, this moderately weighs against the proposal.

Whether the site is an appropriate location for new residential development having regard to access to services and facilities.

10. As stated above Wicken Bonhunt has limited services. The site is accessed via a single width country lane that does not benefit from any streetlighting or public footpath. In addition, there is no public footpath on this side of the village where the lane meets the main road running through Wicken Bonhunt. This means there is no safe space for future occupants to walk down the lane or wait to cross the road. On this basis it is very unlikely that potential future occupants would seek to access a bus, irrespective of the frequency, or the limited services within the village by foot. Disabled persons and those with mobility issues are likely to face greater difficulty to manoeuvre along the lane. Given the difficulty of reaching the bus service in order to reach a greater variety of services and facilities it is more likely people will drive to Newport or other settlements with day-to-day services and facilities.
11. The proposal does not benefit or create means to travel by sustainable methods, such as walking to reach even the limited services/facilities within the village. The proposal does not comply with Policy GEN1 of the Local Plan, which seeks to encourage people to travel by other means than car. The Framework supports this, which seeks to prioritise pedestrian needs, minimise conflict between road users and address the needs of people who are disabled or have mobility issues. The lack of suitable access to footpaths for pedestrians to safely walk into the

village and the heavy reliance on private motor vehicles significantly weighs against the application.

Other Matters

12. There is reference to three dwellings allowed to the north of this site. However, each application and appeal must be judged on their individual merits, as I have done, and there is a material difference between the two sites of one being infill and the appeal site an extension into the countryside. In addition, there is a substantial difference within the Framework under paragraph 11d which now directs decision makers to have particular regard to if the site is in a sustainable location.

Planning Balance

13. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise.
14. The Council accepts that they cannot demonstrate a deliverable five year supply of housing land as required by Paragraph 78 of the Framework. Consequently, paragraph 11 d) of the Framework, which is a material consideration of significant weight, is engaged. It states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
15. The Framework does not change the statutory status of the development plan as the starting point for decision making. The proposal is not in accordance with the aforementioned policies of the Local Plan, with the harm to the character and appearance of the local area and lack of dedicated footpaths in the local area to promote sustainable travel. For these reasons, the proposal conflicts with the development plan as a whole and should be refused unless other material considerations indicate otherwise.
16. The Framework promotes residential development where it will enhance or maintain the vitality of rural communities and acknowledges that this might be in nearby settlements. The benefit of the single dwelling in supporting both services within the village and nearby settlements is limited. There is also likely limited economic benefits during the construction phase.
17. However, I have concluded that there would be significant harm on the rural character and appearance of the area and due to the quality of the design of the proposal. In addition, the lack of suitable access to footpaths for pedestrians to safely walk into the village and the heavy reliance on private motor vehicles significantly weighs against the application.
18. The adverse impacts would, therefore, significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole.

Conclusion

19. For the reasons set out above the appeal does not succeed.

A Phillips

INSPECTOR