
Appeal Decision

Site visit made on 2 December 2025

by **S F Barnes MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13th January 2026

Appeal Ref: APP/C1570/W/25/3373643

South View, Maple Lane, Wimbish, Essex CB10 2XG

- 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 Nick Brown against the decision of Uttlesford District Council.
 - The application Ref is UTT/25/1877/FUL.
 - The development proposed is erection of 1no. dwelling.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of development taken from the appeal form, as it concisely describes the operative part of the proposed development.
3. I am aware of an earlier appeal decision¹, dismissed in April 2025, concerning a scheme to erect a dwelling in a similar position at the appeal site to that proposed here. The current proposal is akin to an amended version of that scheme. The key differences that have been drawn to my attention include a lower ridge height, altered massing and a greater extent of set-back from the highway in the design now proposed.
4. Pertinent to this appeal, the Inspector found that the scale of the proposed building would result in moderate harm to the countryside including to the character of the surrounding landscape. In combination with considerable harm found to highway safety, the harmful effects of the scheme carried significant weight against it in the planning balance.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

6. The appeal site comprises an area of open land, laid to lawn. It adjoins the plot of South View, a detached dwelling with a large garden. That building is the last in a line of a limited cluster of dwellings along this relatively straight part of Maple Lane. The site is otherwise bounded by deciduous woodland and arable fields, which provide a countryside landscape setting. As it lies outside of a defined settlement, the appeal site is classified as countryside by the development plan.

¹ Appeal ref: APP/C1570/W/24/3348438

7. The site's highway boundaries are marked by existing hedgerow and some well-spaced mature trees, particularly towards its frontage on Maple Lane. Although hedges along Maple Lane screen parts of the site, at the time of my visit extensive areas were visible, particularly at the bend in Maple Lane despite some screening from other hedgerow and trees. The open nature of the site positively contributes to the rural character of the surrounding area.
8. The appellant contends the proposal adopts a barn-style form, however I consider its design and form would be similar to South View. The proposal would also be comparable in scale to that property, which is relatively large in its context, even though the proposal would be partly single-storey and its roof would be slightly lower in ridge height. In terms of height, massing and footprint, the scale of the proposal would be out of kilter with the modestly sized cottages which are the predominant features of Maple Lane.
9. There is no evidence before me to indicate there has been a significant change in the landscape setting since the previous appeal decision. Whilst I recognise modest changes to the design, I have not identified a compelling difference in terms of scale between these two schemes. I therefore see no reason to reach a different conclusion as to the harmful effect on openness and rural setting that would be caused by introducing substantial massing in the form proposed. The proposal, through its scale, massing and layout, would significantly encroach onto the site's openness and sense of rurality. This would neither protect nor enhance the character of its countryside setting, resulting in harm.
10. The use of traditional local materials in external finishes to the building would not mitigate the harm that results from its scale. New planting to screen the proposal would reduce available glimpses of and across the site, and therefore diminish the contribution it makes to appreciating the wider rural setting of the area. I appreciate that the existing hedgerows and trees may provide greater extents of screening at different times of the year to what I observed at my visit. Nonetheless, this vegetation is not permanent and cannot be relied upon in perpetuity to provide the same extent of screening. As such these matters do not fully mitigate the impact of the proposal.
11. Concluding on this main issue, the proposal would have a harmful effect on the character and appearance of the area. This would be contrary to Policies S7 and GEN2 of the Uttlesford Local Plan (January 2005) (Local Plan). In summary, those policies seek to protect the countryside for its own sake, with strict control over new development there, and to ensure that development is compatible with the scale and form of surrounding buildings. This is in a similar vein to paragraph 187 of the National Planning Policy Framework (the Framework) which refers to recognising the intrinsic character and beauty of the countryside.

Other Matters

12. There is no objection to the proposal from the Highways Authority. I recognise that, in this respect, the appeal scheme would overcome highway safety concerns that had factored into the planning balance of the previous appeal decision. I am aware that the Council has raised no objection to the removal of one tree (T9) to facilitate the development. It considered living conditions for existing neighbours and those provided for intended future occupiers would be acceptable. There is also no

dispute between the Council and the appellant that the dwelling would not be isolated and would not increase flood risk on site or elsewhere.

13. I see no reason to disagree with the conclusions of the consultees and the Council on those matters based on the evidence before me. However, the lack of harm or objection in these respects is a neutral factor in my assessment of the appeal.

Planning Balance

14. I am aware that the Local Plan dates to 2005, however the Framework states that existing policies should not be considered out-of-date simply due to their age. Paragraph 232 states that due weight should be given to existing policies in accordance with their degree of consistency with policies in the Framework. Whilst the countryside is not protected for its own sake by its policies, the Framework does recognise its intrinsic character and beauty. Moreover, it requires development to be sympathetic to local character, including its landscape setting. Therefore, I attach significant weight to the conflict that I have identified with Policy S7 of the Local Plan. I conclude that the proposal is in conflict with the development plan taken as a whole.
15. The submitted evidence indicates that the Council cannot demonstrate a 5-year housing land supply, currently at 3.46 years. As such, and noting the Government's objective of significantly boosting the supply of homes, the provisions of Framework paragraph 11.d are engaged. The site is not within a protected area or asset of particular importance for the purposes of 11.d(i). Consequently, the test at 11.d(ii) applies and permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
16. The proposal would provide for one additional dwelling. This would make a contribution to the local supply of housing, in an area of acknowledged constrained supply. I accept that it would also make a contribution to meeting rural housing needs. Social and economic benefits to the local economy would flow from its construction and through the use of local services by future occupiers. Environmental benefits would flow from the ecological mitigations and through a scheme to achieve biodiversity net gain, to be secured by conditions if the appeal were to succeed. I also accept that a new building could be energy-efficient.
17. Whilst the contribution to the housing supply in the district attracts considerable weight, support for new housing in the Framework must be balanced against consideration of design and integration with local character. In view of its small scale, the scheme's economic, environmental and social benefits could reasonably be described as very limited.
18. On the other hand, I have identified harm from the impacts on the character and appearance of the area, in particular its countryside setting, which carries moderate weight. Concluding on this, I find the adverse effects of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Conclusion

19. The proposal would conflict with the development plan as a whole. No material considerations, including the provisions of the Framework, indicate that a decision

should be made other than in accordance with the plan. I therefore conclude that the appeal should be dismissed.

S F Barnes

INSPECTOR