



Appeal Decision

Site visit made on 18 June 2018

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th July 2018.

Appeal Ref: APP/P0240/W/18/3192914

**Land off Middlefield Lane and Hitchin Road, Henlow, Bedfordshire
SG16 6PJ**

- 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 Beechwood Homes against the decision of Central Bedfordshire Council.
 - The application Ref CB/17/02915/FULL, dated 13 June 2017, was refused by notice dated 25 October 2017.
 - The development proposed is erection of 8 dwellings, access road and associate hard and soft landscaping.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site comprises of an open paddock within a small cluster of residential properties within a countryside location. Residential properties are located to the north, north-east, south and south-west of the site surrounded by agricultural fields. It is located set back on the western side of Middlefield Lane, a narrow country lane close to its junction with the A659 Hitchin Road, which runs along the north-western boundary of the site behind a grass verge and small watercourse. A number of mature trees and hedgerows are located along the boundaries of the site, which is further enhanced by the presence of mature landscaping and established trees within the surrounding gardens and open countryside, which adds to the open and rural character of the area.
4. The appeal site lies well beyond the settlement envelope for any recognised settlement identified in the Development Strategy in Policy CS1 of the Central Bedfordshire Core Strategy and Development Management Policies Development Plan Document adopted 2009 (CSDMP) and in an area designated, in policy terms, as countryside under CSDMP Policy DM4. The supporting text of CSDMP Policy DM4 permits only certain categories of development, including those with an essential need in agriculture or forestry and involving the reuse or replacement of an existing dwelling. The proposed dwellings do not fall within any of the categories of development resulting in a conflict with the policy.

5. However, the weight to be given to CSDMP Policy DM4 is matter of dispute between the parties. The appellant has cited a number of appeal decisions regarding the weight to be attached to this policy¹. Whilst the aim of CSDMP Policy DM4 to direct development to appropriate locations remains consistent with the aims of the National Planning Policy Framework (the Framework), the approach to development in rural areas set out in the policy is based on the now revoked National Planning Guidance in PPS7², which is different to that in the Framework. Paragraph 55 of the Framework states that to promote sustainable housing in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For these reasons, CSDMP Policy DM4 does not reflect the positive approach in the Framework and would not be fully consistent with it.
6. Paragraph 55 of the Framework states that new isolated homes in the countryside should be avoided unless there are special circumstances. Although the appeal site would be visually divorced from the nearest village of Henlow and Henlow Camp, it would be located immediately adjacent to the residential property at Henlow End Farm to the south and in close proximity to a number of residential properties running along either side of Hitchen Road to the north, north-east and south-west of the site, including a small residential development of three dwellings off Middlefield Close to the north of the site.
7. The villages of Henlow and Henlow Camp are located about 1.2km to the north and about 1.4km to the south of the appeal site, respectively. Both villages have a range of local facilities and services including a middle school, village store and post office and public houses in Henlow and a lower school, doctor's surgery, pharmacy, supermarket, post office and industrial estate in Henlow Camp. A footpath is provided alongside Hitchen Road from the appeal site into the villages, which is lit by street lighting on the section of the road between the appeal site and Henlow. Given the short distance away from the villages, I consider the future occupiers would reasonably be able to walk and cycle to the local services and facilities in these villages.
8. Although a number of bus services to and from Henlow and Henlow Camp pass the appeal site, the nearest bus stops are available within these villages. The appellant's transport statement indicates that the villages are served by local bus services that run to and from the nearby villages and larger settlements of Bedford, Hitchin, Shefford and Biggleswade during the day on Mondays to Saturdays on an hourly basis and on a Sunday on a two hourly basis, although no detailed information is provided regarding the service provision in the evening.
9. As such, although future residents would be likely to depend on the private car to reach the essential services and employment available in nearby larger settlements, some day to day trips could be undertaken by sustainable means. However, the Framework recognises that opportunities to maximise sustainable transport will vary from urban to rural areas and different policies and measures will be required in different communities.
10. I therefore consider that the appeal site, located adjacent to a cluster of residential properties, would not be remote from the services and facilities in the nearby villages and the future occupiers could support the local services

¹ APP/P0240/W/17/3176444, APP/P0240/W/16/3166033 and APP/P0240/W/17/3176387

² Planning Policy Statement 7 (PPS7) – Sustainable Development in Rural Areas 2004

and communities. The proposed development would therefore, in my view, not represent isolated dwellings in the countryside. Accordingly, I find no conflict with paragraph 55 of the Framework in respect of rural housing.

11. Turning to the effect of the proposal on the environment and the character and appearance of the area. The proposal would involve the construction of eight two storey dwellings with associated gardens and landscaping. The dwellings on Plots 1-7 would be setback from Hitchen Road with vehicular access onto an internal shared access road off Middlefield Lane and provide a variety of house types including a semi-detached pair, a terrace of three and two detached dwellings. The detached dwelling on Plot 8 would be constructed with direct access off Middlefield Lane at the rear of the site, in dark timber boarding to match the character of the adjacent property at Henlow End Farm. The external finish of the dwellings would be predominantly constructed from brick with gabled pitched roofs with some use of timber cladding and other traditional features including brick chimneys, brick window arches and quoin detailing.
12. A core principle of the Framework is to take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside. It is clear from the evidence and from my observations during my site visit that, given the enclosed nature and the relatively flat topography of the site and the immediate surroundings, the appeal site, in visual terms, would not be highly visible in the wider landscape.
13. Nonetheless, on a more local level, given the scale and form of the development, it would represent a significant shift of the built up development into the open countryside. Whilst I recognise that the boundary trees and vegetation provide some visual containment, the degree of visibility will vary according to the seasons. The appeal site, together with the adjoining fields, provides a significant contribution to the visual quality and the openness of the area and an important contribution to the rural open landscape setting of the area. This positive contribution to the character and appearance would largely be lost by the development, which would significantly urbanise the open and undeveloped nature of the site.
14. The proposed layout of the development onto an internal shared access road off Middlefield Lane would introduce a form of development which is not typical of other development within the area. Whilst I note there is some variation in the pattern of development in the area, with some roads radiating off Hitchen Road, including a small residential development of three dwellings off Middlefield Close to the north of the site, the predominant built form are single dwellings set on single individual plots, set back from the road and fronting the highway. Paragraph 60 of the Framework states that it is proper to promote or reinforce local distinctiveness. I consider that the layout of the development would be out of keeping with the established rural character in the area and would fail to promote or reinforce the distinctive characteristics of the area.
15. These shortcomings would be exacerbated by the proposal's prominent position where it would be visible from a number of public vantage points along Hitchen Road and Middlefield Lane. I therefore consider that the introduction of the new dwellings and associated features including gardens and other domestic paraphernalia would adversely harm the undeveloped and open character of the site which contributes to the open rural character of the area.

16. I have considered the appellant's argument that the design and layout of the proposed development would be in keeping with the other properties in the area and would be largely screened by the mature landscaping around the site. Whilst I recognise that the varied two storey form of the proposed dwellings would not be out of keeping with the other properties in the area and the use of traditional materials and features together with the retention and enhancement of the landscaping would assist in integrating the proposal with the area, these aspects do not overcome the adverse effects outlined above. I consider that the development, by virtue of its scale, layout and design, would adversely harm rather than positively contribute to the rural character and appearance of the area.
17. Consequently, I conclude that the proposed development would have a significant harmful effect on the character and appearance of the area. The development conflicts with the overall design aims of CSDMP Policies DM3, DM14 and CS16 and the Central Bedfordshire Design Guide 2014. These policies and guidance seek, amongst other things, to ensure all proposals for new development should achieve a high standard of design that is appropriate in scale and design to their setting, respecting local distinctiveness of the site and its surroundings and conserving and enhancing the landscape character. The proposal would also conflict with CSDMP Policies CS1 and DM4 but for the reasons indicated above, the weight to be attached to the policy conflict with Policy DM4 should be reduced. Similarly, it would not accord with the aims of the Framework that development should seek to secure a high quality of design that takes account of the character of different areas and recognises the intrinsic character and beauty of the countryside (paragraph 17).

Other Matters

18. The appellant states that the housing requirement is likely to be higher than identified in the emerging Central Bedfordshire Local Plan (LP) based on recently published Government consultation paper for reforms to the housing market including the new standardised methodology for calculating Objectively Assessed Needs (OAN) for housing needs³ and that this proposal for a small residential site would boost the housing supply in line with the requirements of the Framework. Whilst this may be so, the Government paper relating to OAN has only recently completed its consultation period and consequently can only be afforded limited weight.
19. The appellant questions the robustness of Council's current housing policy position in light of the overall housing supply requirements in the district, the timetable for the delivery of the emerging LP and the Inspector's comments on a recent appeal in Stotford in August 2017 on the Council's five year supply⁴. However, there is little substantive evidence before me to contradict the Council's statement that it has the required five year supply.
20. I have noted the appellant's reference to the strategic employment allocation at RAF Henlow directly to the south-west of the appeal site in the emerging LP that was submitted for examination in April 2018. However, as I do not have evidence before me as to whether there have been any significant objections to this strategic employment allocation and the Inspector's report has not yet

³ Planning for the Right Homes in the Right Places: Consultation Proposals September 2017

⁴ APP/P0240/W/16/3166033

been published, having regard to the advice provided in the Framework⁵, I give the policies and allocation in the emerging Development Plan limited weight as a material consideration.

21. I note the other developments in the area drawn to my attention by the appellant. These planning application⁶ and various appeal decisions⁷ relate to large residential developments of a different scale and form to the appeal scheme. In any event, each application and appeal falls to be assessed primarily on its own merits and I am unaware of the full circumstances associated with these other developments.
22. The appellant considers that the proposal would provide a sustainable form of development that would provide social and economic benefits through contributing to the supply and mix of housing in the area, providing construction jobs, supporting local services and facilities, new homes bonus payments and on-going contributions towards Council tax receipts. The Framework promotes sustainable development in rural areas, and the additional housing would make a positive, albeit modest contribution to the supply of housing and supporting the vitality of the villages and the surrounding rural communities. It would not result in isolated homes which the Framework states should be avoided. This would support the economic and social dimensions of sustainable development that weigh in favour of the proposal.
23. In environmental terms, the appellant states that the scheme's design, landscaping, biodiversity enhancement, efficient use of an underused parcel of land and the accessibility to services by other means of transport than the car would amount to environmental benefits and would help reduce emissions and mitigate climate change. However, in this case, I have found that the scheme would harm the objectives set out in the Framework and the great weight it places on conserving the landscape and scenic beauty of the countryside. I have found above that taken overall that the adverse impacts arising from locating the proposed development in this rural location, together with the significant harm identified to the area's character and appearance would be contrary to the relevant development plan policies set out above. This harm would conflict with the environmental dimension of sustainable development.
24. Therefore, in my view, the adverse impacts I have identified, would be sufficient to outweigh the scheme's benefits in this case. As such, the proposal would not comprise sustainable development when assessed against the Framework read as a whole.
25. Accordingly neither this nor any of the other matters outlined above amount to material considerations which would outweigh the conflict with the policies in the development plan when read as a whole. In these circumstances, there are no material considerations to justify making a decision other than in accordance with the development plan.

⁵ Paragraph 216 of the National Planning Policy Framework (2012)

⁶ CB/16/05229/OUT

⁷ APP/P0240/W/17/3176444, APP/P0240/W/17/3176387, APP/P0240/W/16/3166033, APP/P0240/W/17/3175605, APP/P0240/W/17/3181269, APP/P0240/W/17/3170248, APP/P0240/W/17/3172143, APP/P0240/W/17/3186914, APP/P0240/W/16/3154220 and APP/P0240/W/16/3152707

Conclusion

26. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR

Richborough Estates