



Appeal Decision

Site visit made on 31 October 2017

by R A Exton Dip URP MRTPI

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

Decision date: 6th December 2017

Appeal Ref: APP/P0240/W/17/3180398

Former Pig Pen, Higham Road, Higham Gobion MK45 4RB

- 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 Chamberlain Holdings PLC, against the decision of Central Bedfordshire Council.
 - The application Ref CB/16/03168/FULL, dated 17 July 2016, was refused by notice dated 26 January 2017.
 - The development proposed is described as alterations to redundant agricultural building and conversion to dwelling, modification to access and creation of parking area.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: i) whether the proposal would form a new isolated home in the countryside; and, ii) its effect on the immediate setting.

Reasons

Location

3. The appeal site is situated within the countryside and the Green Belt approximately mid-way between Barton Le Clay and Higham Gobion. It comprises a single storey pitched roof building enclosed by a concrete wall. The site is set back to the north of Higham Road and is currently accessed by a track passing along the eastern boundary. There are other isolated pockets of development on the northern side of Higham Road. The surrounding landscape has an open character affording distant views towards and away from the site, particularly to the north and south.
4. Policy DM4 of the Central Bedfordshire Core Strategy and Development Management Policies adopted 2009 ('the CSDMP') does not specifically refer to development outside settlements and in the countryside. Its explanatory text defers to consideration against the now revoked PPS7. The National Planning Policy Framework ('the Framework') is the current government guidance that has replaced PPS7.
5. Whilst the aim of Policy DM4 to direct development to appropriate locations remains consistent with the Framework, the approach to development in rural areas set out in the Framework is different to that in PPS7 and consequently Policy DM4. Of particular relevance to this appeal are the different criteria for

assessment of housing development in rural areas. In light of this I afford Policy DM4 limited weight.

6. Paragraph 55 of the Framework seeks to avoid new isolated homes in the countryside unless there are special circumstances. The recent ¹Braintree decision has provided guidance on the definition of 'isolated' in this context, and I have sought both parties' views on the matter.
7. The appeal site is located on an unlit road with no footpath. It is a considerable distance from other places, buildings or people. It does not form part of a community or settlement. In light of this I conclude that the proposal would form a new isolated home in the countryside. It is therefore appropriate to assess it against paragraph 55 of the Framework.
8. The appellant contends that the proposal is not inappropriate development in the Green Belt and is therefore a sustainable form of development. Even if I were to agree this was not inappropriate development within the Green Belt, it does not follow that it is also sustainable. The approach to development in the Green Belt set out in the Framework is concerned with openness and not sustainability.

Enhancement of immediate setting

9. The relevant special circumstance within the paragraph 55 of the Framework that allows for the creation of an isolated home is where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting. There is no dispute between the main parties that the proposal would re-use a redundant or disused building. Consideration therefore rests on the enhancement of the immediate setting.
10. At present the established nature of the site sits comfortably within the surrounding countryside and has a neutral visual effect on its character and appearance. The proposal as a whole would result in a significant visual change to this. Formation of the proposed access would make the site more visually prominent in the area. Parking of vehicles and outdoor domestic paraphernalia associated with the dwelling would give the site a more prominent and domesticated appearance. Although the site is enclosed by concrete walls there would be views over these and into the site from some viewpoints on Higham Road. Proposed landscaping would not significantly mitigate this effect or enhance the immediate setting of the site.
11. Overall, I consider that the proposal would not enhance the immediate setting of the site but would have an adverse effect that would be harmful to the rural character and appearance of the area.
12. I note the appellant's comparison with the effect of the planning permission for conversion of the site to an office use. This however is a different type of development that has been assessed against different policy and guidance. Such development would also be likely to have a lesser visual effect. Activity, and consequently the presence of vehicles would be of a limited duration. There would not be the same level of outdoor paraphernalia compared to a domestic use. I therefore afford it limited weight in assessing this appeal.

¹ Braintree District Council v Secretary of State for Communities and Local Government, Greyread Limited & Granville Developments Limited (2017)

13. The appellant seeks to draw support for the proposal from Policy CS11 of the CSDMP. This policy relates to rural economy and tourism and does not specifically refer to dwellings. Its explanatory text does acknowledge that conversions of agricultural buildings to dwellings have been previously approved. It goes on to say that support will continue to be given to conversion to employment uses in the first instance whilst acknowledging that residential conversions may be more appropriate in some locations and for some types of buildings.
14. The planning permission for conversion of the site to an office use has demonstrated its suitability for employment use. There is no evidence before me to demonstrate that the proposal complies with Policy CS11 by showing that the type or location of the building is more suitable for a residential conversion.
15. In this case the proposal would form a new isolated home in the countryside which would have a harmful effect on the character and appearance of the area. Consequently it would conflict with Policy DM4 of the CSDMP and paragraph 55 of the Framework whose requirements are set out above. It would also conflict with Policy DM3 of the CSDMP insofar as it requires development proposals to contribute positively to creating a sense of place.

Other matters

16. The site is within the Green Belt, and the main parties do not dispute the proposal is not inappropriate development within the Green Belt. Paragraph 90 of the Framework says that the re-use of buildings is not inappropriate provided the development preserves the openness of the Green Belt and does not conflict with the purposes of including land in the Green Belt. In the light of my reasoning, I have a basis to question whether this would in fact be not inappropriate development. However, resolving this matter would not affect the overall outcome of the appeal, as even if it was not inappropriate the harm I have identified would remain. As a result, I have not sought the parties' views on this and it has not had a bearing on my conclusions.
17. I note the presence of an Area of Outstanding Natural Beauty to the south of the site. That is sufficiently far away though to mean I consider that the proposal would not adversely affect its landscape value or scenic beauty.

Conclusion

18. In light of the above I conclude that the appeal should be dismissed.

Richard Exton

INSPECTOR