
Appeal Decision

Site visit made on 14 October 2019

by Richard Aston BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st November 2019

Appeal Ref: APP/P0240/W/19/3228313

101 High Street, Ridgmont MK43 0TY

- 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 Mr S Roberts against the decision of Central Bedfordshire Council.
 - The application Ref CB/18/01148/FULL, dated 1 March 2018, was refused by notice dated 14 November 2018.
 - The development proposed is new 3 bed dwelling with associated parking.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. My attention has been drawn to an error on a decision notice relating to the application which appears to have led to a corrected notice being issued by the Council. The reasons for refusal are clearly set out on both documents albeit an error on an earlier version refers to permission being granted. Whatever the case may be in relation to those documents and whilst somewhat unfortunate, an appeal has been made against the Council's decision to refuse planning permission and it is that appeal which is now before me and which I must determine.
3. I have been referred to Policies HQ1, SP7 and HE3 of the Central Bedfordshire submission local plan ('the ELP'). Whilst the ELP is at an advanced stage, it has not yet been formally adopted by the Council. In accordance with paragraph 48 of the National Planning Policy Framework ('the Framework') and on the evidence before me, it carries little weight.

Main Issues

4. The main issues are the effect of the proposal on the character and appearance of the Ridgmont Conservation Area ('the RCA') and whether the proposed development would provide a suitable site for housing having regard to adopted settlement strategy.

Reasons

Ridgmont Conservation Area

5. Paragraph 193 of the Framework makes it clear that when considering the impact of a proposed development on the significance of a designated heritage

- asset great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
6. The significance of the RCA appeared to me to lie in its ribbon like form¹ and estate village appearance. Set out predominantly along the High Street it contains a number of Duke of Bedford estate cottages and other estate style properties situated in groups and enclosed by maturely landscaped front gardens. The majority of the buildings fronted onto the High Street albeit with some more modern cul-de-sac and detached properties, including infill residential development.
 7. Further, the village lies in proximity to the M1 Motorway and is surrounded by agricultural fields and woodland. Located on the edge of the village, the absence of any development on the appeal site combined with the set back of the building that contains No. 101, provides for a sympathetic transition from the open countryside to the more built up form of the RCA.
 8. The host property is part of a terrace of 4 Duke of Bedford estate cottages and is set behind a wide grassed verge with mature street trees and hedgerows enclosing its front garden. On approaching from the east, the openness of the appeal site allows for the appreciation of this building in its entirety which makes a social, historic and visually distinctive contribution to the character and appearance of the RCA, as a whole. Although I note that the Council's Conservation Officer did not object to the proposal I am not bound by their view and must also use my own judgement.
 9. Having done so and despite being of a sympathetic vernacular the proposal would be sited beyond the existing building line of the terrace. Whilst I observed a 1960's dwelling set forward of the terrace on the opposite side, this is clearly of some age and I have not been provided with the full details. The appellant refers to this being 'not unusual within the village' but in this particular context the siting and scale would harmfully diminish the appreciation of the building, as a whole, on a main approach into the village and the RCA. It would present a blank, 2 storey side elevation that in such proximity to its boundaries would appear as an unduly dominant and stark addition to this rural street scene. The introduction of a further access and an overly large extent of vehicular hardstanding would result in some further visual harm, albeit closer to the site.
 10. For these reasons, the proposal would fail to preserve or enhance the character or appearance of the RCA. Accordingly, it would conflict with Policies DM3, CS15 and DM13 of the Core Strategy and Development Management Planning Document 2009 ('CS') which, when taken as a whole and amongst other things, require that new development be appropriate in scale and design to its setting and protects, conserves and enhances the district's heritage, including its conservation areas.
 11. In the context of the Framework the harm would be less than substantial but I do not share the appellant's view that it would be neutral. There would be some small public benefits from a single, family sized dwelling that could be delivered relatively quickly and result in a more efficient use of the land. It could also result in some associated employment of local trades and some

¹ Also highlighted in the 1992 Conservation Area Appraisal.

limited additional support for village services. Council Tax is essentially a means for the Council to cover its costs arising from an increased local population, and/or to mitigate development impacts upon local infrastructure and it therefore attracts little weight.

12. In my view, the public benefits would not outweigh the harm that I have identified and the considerable weight and importance I give to the desirability of preserving or enhancing the character or appearance of the RCA. Consequently, the proposal would also conflict with the heritage objectives of the Framework.

Suitable site

13. Ridgmont is washed over by the Green Belt although the Council do not refer to the proposal being inappropriate development in the context of national planning policy for the Green Belt. Ridgmont has a defined 'infill only' boundary as set out in Policy DM6 of the CS but the Council do not consider the proposal to be infill. The site lies inside this boundary and although the Council's statement now refers to a definition in the ELP, that is plainly different to the definition considered in the delegated report under Policy DM6 of the CS. The definition in the ELP is not determinative at this point given its status and the Council's reasons for refusal only refer to policies of the adopted CS.
14. The pre-text of Policy DM6 defines infill as a 'small-scale development utilising a vacant plot which should continue to complement the surrounding pattern of development'. The appellant refers to paragraph 145 of the Framework but in the absence of any definition contends that full weight should be given to the definition in the development plan. On the evidence before me and in this particular case I agree.
15. As a single dwelling and, in comparison to other properties, it would be 'small scale'. The plot is empty and therefore could reasonably be considered as 'vacant'. However, for the reasons given above the effects of the proposal are such that it would not continue to compliment the surrounding pattern of development or the character of the settlement and its surroundings. In accordance with the definition in the CS it should not therefore be regarded as infill and the proposal would not provide a suitable site for housing. Accordingly, the proposal would conflict with Policy DM6 in such terms.

Planning balance and conclusion

16. The harm and conflicts I have identified are such that the proposal would be in conflict with the development plan, when read as a whole. There is some dispute as to whether the Council can demonstrate a 5 year supply of housing land but on the very limited evidence before me, I am unable to reach a definitive conclusion.
17. However, even if I were to conclude there is a shortfall in the 5 year housing land supply as suggested by the appellant, my findings in terms of the first main issue means that the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. As such, the proposal would not be the sustainable development for which paragraph 11 of the Framework indicates a presumption in favour.

18. Drawing my conclusions together, material considerations, including the Framework do not indicate that a decision should be made other than in accordance with the development plan.
19. For the reasons set out above and having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Richard Aston

INSPECTOR