



Appeal Decision

Site visit made on 26 November 2019 by John Gunn DipTP Dip DBE MRTPI

Decision by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2020

Appeal Ref: APP/P0240/D/19/3236902

Billington Manor, Leighton Road, Great Billington, Leighton Buzzard, Bedfordshire LU7 9BJ

- 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 Nicholas Brace against the decision of Central Bedfordshire Council.
 - The application Ref CB/19/00433/FULL, dated 7 February 2019, was refused by notice dated 28 June 2019.
 - The development proposed is erection of detached double-garage and log store.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Council's decision notice makes reference to the Central Bedfordshire Local Plan Pre-Submission Local Plan 2015 -2035 (PSLP). Although this plan has been submitted for examination, it does not currently form part of the development plan. Accordingly, the policies contained within it do not carry the same weight as those within the adopted South Bedfordshire Local Plan Review (Adopted January 2004) (LP). However, insofar as the relevant emerging policies of the PSLP are consistent with the Framework I give them some weight.
4. At my site visit I noted that the conversion of existing garages & outbuilding to create 1 new 3 bedroom dwelling granted permission under reference CB/18/02721/FULL had not commenced. Consequently, my recommendation is based on the development being carried out within the grounds of Billington Manor as shown edged red on the location plan which defines the application site.

Main Issues

5. The main issues in this case are:

- whether the proposed development would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the 'Framework') and development plan policy;
- the effect of the proposal on the openness of the Green Belt;
- the effect on the character and appearance of the host property, a non-designated heritage asset and the locality, including the Billington Conservation Area; and
- if the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons for the Recommendation

Inappropriate Development

6. The appeal site is located within the South Bedfordshire Green Belt (GB). Paragraph 145 of the Framework establishes that new buildings in the Green Belt are inappropriate. Exceptions to this include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. LP Policy GB3 refers to Green Belt villages, including Billington and states that the GB washes over them. In these circumstances Policy GB1 of the LP would normally apply however I note that this policy is no longer extant and therefore cannot be given weight. Emerging Policy SP4 of the PSLP is consistent with the Framework.
7. Section 7 of Central Bedfordshire Design Guide: A guide for designing high quality new developments (DG) seeks extensions or alterations of no more than 60% in order for them to be considered proportionate. The Framework, the LP, nor the PSLP make no specific reference to how ancillary outbuildings within the curtilage of a dwelling should be treated insofar as this guidance is concerned. However, the notes attached to the DG indicate that, in certain cases, and depending on the proximity of any outbuilding(s), the LPA will consider, as a matter of fact and degree, whether or not to include such outbuildings within the calculations.
8. The Council, in its officers report, considers that the appeal proposal should not be considered ancillary or incidental to the enjoyment of proposed dwelling, granted under planning permission referenced CB/18/02721/FULL, as it does not yet exist and consequently it should to be considered in the context of the application site being that of Billington Manor. The Appellant is of the view that even if that were to be the case the appeal proposal would still comprise a proportionate addition that would not exceed the 60 percent allowance provided within the DG.
9. On my site visit I noted that there would be a significant distance between the appeal proposal and the original building i.e. Billington Manor, and a shorter,

albeit significant, distance between the existing garage building, which could be converted under planning permission referenced CB/18/02721/FULL, and the appeal proposal. In both cases I consider that the appeal proposal could not be defined as a normal domestic adjunct to an existing dwelling. It follows that the provisions of the DG which provide a 60% allowance for extensions and alterations would not apply in this instance. I therefore conclude that the appeal proposal does not fall within the definition of a proportionate extension or alteration to the original building as set out in paragraph 145 of the Framework.

10. For these reasons, the proposed development represents inappropriate development in the GB. Inappropriate development is, by definition, harmful to the GB and should not be approved except in very special circumstances.

Openness

11. The proposed siting of the development in an area where a building does not currently exist would result in a reduction in the openness of the GB. Openness is an essential characteristic of the GB. There would be only limited public views of the appeal site from Leighton Road, due to the high walls, however there are open views of the appeal site across open countryside from the north and west. Whilst acknowledging that these views may be distant, and restricted, any loss of openness, however minor, would add to the harm to the GB by reason of its inappropriateness.

Character and Appearance

12. The appeal site sits within the Billington Conservation Area (CA) on the main road running through the village and is accessed via a narrow, gated, drive. Billington Manor lies within the appeal site and is a non-listed building, originating from the 17th century, but with remodelling and extension in the late 19th century. It sits within a landscaped setting with high walls on the eastern and southern boundaries and open countryside to the north and west. The Billington Conservation Area Appraisal (CAA) provided by the Council consists of a plan showing the boundary of the CA with no text to support it. From my site visit I noted that the CA has a predominantly rural setting and encompassed the majority of the village and contained a number of historic buildings including the parish church, and timber framed houses with thatched roofs. Given the context and features of the appeal site that I have described, it makes a significant contribution to the CA.
13. The CA falls within the definition of 'heritage asset' within the Glossary to the Framework. Paragraph 184 of the Framework states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
14. There is currently an open area to the east of the existing manor and ancillary garages, occupied by small trees and the remains of a vegetable garden, which provides an important physical and visual separation between the buildings and the road. It also provides distinction to the compact and linear arrangement of the existing buildings on the appeal site. The proposal would introduce a

- substantial building into this important gap, which would adversely affect the setting of the Manor House to the detriment of its character and appearance. Harm to the character and appearance of the host property would also occur as a result of the ad hoc siting and visual dominance of the detached double-garage and log store. The proposal would not sustain and enhance the significance of this heritage asset.
15. Given my findings above it follows that the contribution the host property makes to the character and appearance of the area would be diminished also. Harm to the character and appearance of the area would occur as a result.
16. In light of the foregoing, the proposal would neither conserve nor enhance the character or appearance of the CA. The scheme would not make a positive contribution to local character and distinctiveness. Harm to the significance of this designated asset would occur.
17. Whilst the harm that would be caused to the CA would be less than substantial, the Framework makes it clear that this harm should be weighed against the public benefits of the proposal.
18. I acknowledge that the proposal would provide garaging facilities, in the event that the existing garages are converted to living accommodation, however there is no certainty that the conversion will take place. In any event such benefits would be limited and would not amount to public benefits. They would not outweigh the great weight that I am required to give to the harm that would be caused to the significance of this designated heritage asset.
19. In light of the foregoing, I conclude that the proposal would not respect the character and appearance of the host property or the area, nor would it preserve or enhance the character or appearance of the CA and its significance as a heritage asset. Accordingly, the proposal conflicts with Policy BE8 of the LP. There would also be conflict with emerging Policies HQ1 and HE3 of the PSLP which are broadly consistent with the Framework. These policies collectively seek to secure high quality design which respects and enhances the local and historic character of the environment.

Other Considerations

20. The appellant has drawn my attention to a development at The Old School House which he submits is in a highly visible location but was not considered to be contrary to policies that sought to protect the CA. Nonetheless from the available evidence and from what I saw, this development is for a low height structure that has a clear visual relationship with the existing dwelling and respects its form and layout. It is not comparable to the appeal proposal and accordingly, I can therefore only attach very limited weight to this matter in my consideration of this appeal. Each planning application and appeal is determined on their merits.
21. The Framework makes it clear at paragraph 144, that substantial weight is given to any harm to the GB. It establishes that 'very special circumstances' will not exist unless the potential harm to the GB by reason of inappropriateness, and any other harm is clearly outweighed by other

considerations. In this instance, and having regard to all considerations, I find that there are no very special circumstances that clearly outweigh the harm.

Conclusion

22. The detached double-garage and log store would be inappropriate development in the GB. Further harm would be caused as a result of loss of openness. Harm would also be caused because the proposal would not sustain and enhance the significance of the appeal property and the locality as heritage assets.
23. At most I give limited weight to the material considerations cited in support of the proposal and conclude that, taken together, they do not outweigh the harm the proposed development would cause to the GB and the other harm that I have identified. Consequently, the very special circumstances necessary to justify the proposal do not exist. The proposal conflicts with paragraph 145 of the Framework, Policy GB3 of the South Bedfordshire Local Plan Review and emerging Policy SP4 of the PSLP which collectively seek to protect the GB from inappropriate development and safeguard the open and rural character of the Borough's countryside.

Recommendation

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

J Gunn

APPEAL PLANNING OFFICER

Inspector's Decision

25. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal should be dismissed.

P J Davies

INSPECTOR