
Appeal Decision

Site visit made on 25 February 2020

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 March 2020

Appeal Ref: APP/K0235/W/19/3242315

Land east of Heddings Farm, The Lane, Wyboston MK44 3AS

- 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 G Morroll and Mr J Wright against the decision of Bedford Borough Council.
 - The application Ref 19/01523/FUL, dated 4 July 2019, was refused by notice dated 6 November 2019.
 - The development proposed is erection of 3no. detached dwellings, associated garages, private driveway and formation of access.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the submission of this appeal, the Bedford Borough Local Plan (January 2020) (the Local Plan) has been adopted by the Council and can now be afforded full weight in decision making. Both main parties to this appeal have had the opportunity to make comments upon the implications of this and I shall consider the appeal accordingly.

Main Issues

3. The main issues are:
 - Whether or not the site represents an appropriate location for housing, having particular regard to access to surrounding facilities and services; and
 - The effect upon the setting of Heddings Farmhouse, a Grade II listed building.

Reasons

Access to facilities and services

4. The National Planning Policy Framework (February 2019) (the Framework) states that, in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and that planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.
5. The Local Plan sets out an overarching strategic framework for ensuring that sufficient new development is delivered in sustainable locations to meet

identified needs. Indeed, as set out in the supporting text to Policy 3S of the Local Plan, it is important to locate new development so that people can easily access the jobs, goods and services they want and need by the most sustainable modes of travel. As set out in the supporting text to Policy 4S of the Local Plan, some development may be appropriate in the smaller settlements if needed and supported by the community.

6. Wyboston, excluding its Land Settlement Association Area (LSAA), is defined as a Small Settlement in the Local Plan. However, the site is in the LSAA such that it is defined as countryside in local planning policy terms. Policy 7S of the Local Plan relates to development in the countryside and lists situations where proposed development will be permitted. These circumstances include where proposals are appropriate in line with one of several other listed Local Plan policies, or where, in exceptional circumstances on sites well related to settlements, it can be demonstrated that the proposal accords with requirements that include responding to an identified community need.
7. As set out in its supporting text, Policy 7S incorporates sufficient flexibility to support the provision of new homes where they will enhance or maintain the vitality of rural communities and meet identified needs. The appellants have acknowledged that the proposal does not fit within the categories of countryside development that are identified for support under Policy 7S. It thus follows that, whilst Policy 7S is positively worded, the proposal conflicts with this policy, which is one of the most important policies for determining this appeal.
8. The appeal site is situated in proximity to existing development such that it does not occupy an isolated location in a purely physical sense. Nevertheless, most of the nearest facilities and services to the site are situated considerable distances away. The Lane, for the majority of its length, is served by footpath. Even so, either walking or cycling to the Wyboston Service Station situated on the A1 would be unlikely to represent a greatly attractive option for the proposal's future occupiers. This is particularly when noting the relatively narrow range of facilities and services that are on offer there. I also note that a bridge over the A1 would need to be negotiated in order to access them.
9. Future occupiers of the proposed development would be required to travel further afield in order to fully satisfy their day-to-day needs. The appellants have referred to Eaton Socon, which forms an area of St Neots, and to the village of Roxton as potential destinations. However, these do not have a close functional relationship to the appeal site and accessing them on foot on a regular basis would not represent a convenient option for future occupiers. I acknowledge that these destinations could potentially be cycled to, but the distances involved are not insignificant and this mode of transportation would be unlikely to appeal to all future occupiers of the proposal.
10. I have been made aware of a regular bus service that provides links to a range of destinations in the local and wider area, which include Roxton, Eaton Socon, St Neots, Bedford, Buckingham, Oxford, Cambridge and Milton Keynes. However, the nearest bus stops offering access to this service are situated a considerable distance away from the appeal site. There is thus significant doubt that future occupiers of the development would be both prepared and conveniently able to depend on this bus service to serve their day-to-day needs.

11. I have noted reference to various existing employers and businesses in the local area, including at Wyboston Lakes. However, the connectivity issues discussed above would similarly apply to most of the different local businesses that have been referenced in the evidence before me.
12. The Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and that this should be taken into account in decision-making. Nevertheless, when considering the particular site circumstances outlined above, the proposal would be expected to increase travel by private modes of transportation, which sits uncomfortably alongside the Government's objectives of delivering sustainable development in a planned and coordinated manner.
13. The proposal would cause harm by virtue of the site not representing an appropriate location for housing, having particular regard to access to surrounding facilities and services. The proposal conflicts with Policies 3S, 7S and 29 of the Local Plan in so far as these policies seek to promote accessibility and to deliver sustainable development and growth that enhances the vitality of the Borough's urban and rural communities. For the avoidance of doubt, Policy 6 of the Local Plan, which relates to development in Small Settlements, is not engaged by virtue of the site not being located within the built form of a Small Settlement.
14. Whilst Policy 31 of the Local Plan has not been identified by the Council as a policy relevant to the determination of this appeal, I note here that it requires consideration to be given to the extent which development proposals would be served by, and make provision for, access by public transport, cyclists and pedestrians.

Setting of Heddings Farmhouse

15. The appeal site is situated in proximity to Heddings Farmhouse (the farmhouse), a Grade II listed building, and is currently clear of built development. The significance and special interest of the farmhouse as a designated heritage asset is drawn, in part, from the quality of its architecture and its relevance to the rural history and evolution of the area. Indeed, given its agricultural origins and identification, the farmhouse has an historic association with its surrounding land. The largely open nature of the asset's setting contributes positively to its significance.
16. An L shaped range of outbuildings (the range) is situated between the farmhouse and the appeal site and forms part of the designated asset's curtilage. The range has evolved significantly since the 19th century and now references a variety of modern influences, most particularly to its eastern side that runs parallel to the appeal site. It is also relevant to note that the range impedes inter-visibility between the farmhouse and the appeal site.
17. Whilst the site currently offers separation between the farmstead and modern development situated to the east, historic mapping and archaeological evaluation of the site has demonstrated that it would have once contained built development believed to be comprised of 2 cottages. Although these buildings have not occupied the site for many years and a more comprehensive development of the site would now appear to be proposed, their previous presence demonstrates that the appeal site has not always existed as a green

space entirely clear of built development. Its value in heritage terms must be gauged in this context.

18. I do not consider that the proposed development would unduly compromise the farmhouse being experienced and understood as part of a historic farmstead. Indeed, a buffer of land is to be retained to the appeal site's western end and wide expanses of undeveloped agricultural land would continue to heavily influence the asset's setting. Whilst 3 large dwellings are proposed, they would be setback from the Lane beyond a row of retained planting and would be positioned upon generously proportioned plots. The dwellings' design and style would be broadly consistent with several existing dwellings in the locality, most pertinently those situated opposite the appeal site itself.
19. For the above reasons, the proposal, due to the limited negative influence it would have upon the openness of the farmhouse's setting, would lead to minor less than substantial harm being caused to the significance of the farmhouse. As set out in the Framework and Policy 41S of the Local Plan, any less than substantial harm should be weighed against the public benefits of the proposal. A balanced judgement is required when weighing the merits of a scheme, having regard to the extent of loss of significance caused.
20. In terms of the scheme's benefits, it would deliver 3 additional housing units and the Framework reaffirms the Government's objective of significantly boosting the supply of homes and states that decisions should promote an effective use of land. The proposal would also create jobs during its construction phase and, once occupied, expenditure in the local economy. I am satisfied that the public benefits of the proposal would outweigh the limited loss of significance that would be caused to the farmhouse through development being brought forward within its setting.
21. The proposal accords with Policies 28S, 29 and 41S of the Local Plan in so far as these policies require a proactive approach to be taken to sustaining the historic environment and that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal.

Other Matters

22. Several appeal decisions relating to sites situated elsewhere within the Borough have been provided by the appellants. However, it is apparent that the primary purpose of their inclusion has been to seek to demonstrate that limited weight should be afforded to a Core Strategy policy that has now been superseded by virtue of the Local Plan's adoption. In any event, I must consider the scheme that is before me upon its own individual merits.
23. I acknowledge that the Council has not alleged conflict with Policy AD44 of the Allocations and Designations Local Plan (July 2013), which sets out specific requirements for proposed development in the LSAA. These requirements include maintaining the distinctive spatial pattern, layout and scale of plots. I am suitably satisfied that the proposal satisfactorily accords with Policy AD44, but this does not alter my findings with respect to the main issues in this appeal.
24. I have noted objections raised by interested parties with respect to matters including biodiversity and highway safety. However, as I have found the

proposal to be unacceptable for other reasons, it is not necessary for me to explore these matters further here.

Planning Balance

25. For the avoidance of doubt, I have not applied the presumption in favour of sustainable development as set out under paragraph 11 of the Framework. The Council has a recently adopted Local Plan and it is understanding that a 5-year supply of deliverable housing sites can currently be demonstrated in the Borough. Indeed, the appellants have not asserted otherwise within their latest correspondence responding to the Council's appeal statement and interested party comments.
26. As set out within my reasoning above, the proposal would boost the supply of housing and promote an effective use of land. However, 3 additional dwellings would not make a clear and noticeable difference to the overall housing land supply position in the District. I afford these benefits of the scheme moderate weight. The scheme would also provide jobs and future investment in the local economy once occupied. However, given the scale of development under consideration, I afford these benefits only limited weight. I also note that any potential biodiversity improvements brought about by new planting would be very limited, particularly when noting that established planting would need to be removed to accommodate the development.
27. Whilst the proposal would deliver growth in the interests of enhancing or maintaining rural communities, it would do so in conflict with the Council's spatial strategy for development in a location that would cause considerable harm by virtue of the site's lack of accessibility to local facilities and services. The scheme's benefits would not outweigh the policy conflict and harm that I have identified, which includes minor harm to the heritage significance of the farmhouse.
28. The proposal conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

29. For the reasons set out above, the appeal is dismissed.

Andrew Smith

INSPECTOR