
Appeal Decision

Site visit made on 10 March 2020

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2020

Appeal Ref: APP/P0240/W/19/3243487

Maple House, Nicholls Close, Barton-Le-Clay MK45 4JN

- 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 Gill Hudson Homes Ltd against the decision of Central Bedfordshire Council.
 - The application Ref CB/19/01598/FULL, dated 15 April 2019, was refused by notice dated 11 October 2019.
 - The development proposed is 2 New 2 Bed Semi-Detached Bungalows with associated parking.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Pre-Submission version of the emerging Central Bedfordshire Local Plan 2015-2035 (the CBLP) was submitted to the Secretary of State in April 2018. The Council has indicated that the CBLP is at a stage that attracts limited weight, and I have no reason to disagree.

Main Issue

3. Whether or not the proposal would preserve or enhance the character or appearance of the Barton-Le-Clay Conservation Area (the Conservation Area).

Reasons

4. The significance of the Conservation Area as a designated heritage asset, taken as a whole, is drawn, in part, from its various historic traditionally designed buildings and valuable elements of planting. This significance is further defined by groups of buildings that often share similar building lines. Indeed, a somewhat formal and typically uncluttered pattern of development can be observed. The Conservation Area's significance continues to be identifiable despite various modern developments that have taken place within it.
5. The appeal site is comprised of fenced-off land that is situated at the edge of the Conservation Area and is accessed via Nicholls Close. It is clear of built development and provides important breathing space between surrounding dwellings which are typically of two stories. The proposed bungalows, in combination, would cover a substantial portion of the site. Limited separation from the site's western boundary would be provided and it is also evident that private garden areas of small size are intended.

6. The proposed garden areas, particularly when considering the anticipated amenity requirements of future occupiers, would realistically only be able to sustain a limited extent of new planting. Indeed, the Council's Tree and Landscape Officer, in their role as a specialist internal consultee, has made similar observations. He has also referenced previous site clearance works and the associated importance of enough space being provided around the site's boundary for the natural development of larger specimens. Whilst I have given due consideration to the intended planting details that have been submitted, the proposal does not promote the successful future establishment of significant extents of new planting.
7. The building lines of neighbouring dwellings to a variety of different sides of the site have been referenced in the evidence before me, as has the existing grain of development. However, the proposed development would not obviously align with the positions and orientations of nearby dwellings. Instead, particularly when considering the extensive site coverage that is proposed, a cramped and somewhat discordant form of development would materialise.
8. I acknowledge that the proposed bungalows, given their limited height and setback positioning, would not be visually prominent additions to the local area. Nevertheless, the development would still have a presence and influence how the Conservation Area would be read and experienced, most particularly by neighbouring residents. Furthermore, the predominance of two storey properties in the locality does not readily lend itself to the seamless introduction of bungalows. This is even should sensitive external-facing materials be sourced.
9. For the above reasons, the proposal would lead to less than substantial harm being caused to the significance of the Conservation Area. As set out in the National Planning Policy Framework (February 2019) (the Framework), 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.
10. Whilst the appellant has not challenged the Council's assertion that a five-year supply of housing can currently be demonstrated, the proposal would deliver two additional housing units and the Framework reaffirms the Government's objectives of significantly boosting the supply of homes and promoting an effective use of land. Nevertheless, merely two additional units of accommodation are proposed that would not make a noticeable difference to the Council's housing supply.
11. I acknowledge that the dwellings have been designed with the intention of being accessible to all, that the Parish Council has stated support (in principle) for the type of accommodation proposed and that the site is well located in terms of its accessibility to local facilities and services. Nevertheless, considering the limited scale of development proposed, I afford the benefits associated with the delivery of two bungalows at the appeal site moderate weight.
12. As indicated in the Framework, when considering the impact of a proposal upon the significance of designated heritage assets, great weight should be given to the asset's conservation. The scheme's moderate benefits would not outweigh the considerable level of less than substantial harm that I have identified would be caused to the significance of the Conservation Area.

13. For the above reasons, the proposal would fail to preserve or enhance the character or appearance of the Conservation Area in conflict with Policy BE8 of the South Bedfordshire Local Plan Review (January 2004) (the Local Plan) and with the Framework in so far as these policies require that the size, scale, density, massing, orientation, materials and overall appearance of the development should complement and harmonise with the local surroundings and that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.

Other Matters

14. It is my understanding that No 69 Bedford Road (No 69), situated to the northeast of the site, is Grade II listed. Its significance as a designated heritage asset is drawn, in-part, from its traditional architecture and its relevance to the historic evolution of the area. The proposed bungalows, being low in scale and set away from No 69, would not have an adverse effect upon the listed building's setting. The proposal would thus not cause harm to the significance of this heritage asset. For the avoidance of doubt, this does not alter my findings with respect to the main issue in this appeal.
15. I acknowledge that the planning application that is now the subject of this appeal was initially recommended for approval. However, the Council's Planning Committee was entitled to come to a different decision to that recommended to them by its officers and I have considered the appeal accordingly. A 2018 appeal decision from the South Norfolk District¹ has been provided in the evidence before me and I have given due regard to it. However, it is of limited relevance to my considerations here. This is not least because it relates to a site covered by a different local planning authority.
16. I have noted objections/concerns raised by interested parties with respect to matters including the effect upon neighbouring living conditions and sewerage disposal arrangements. 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.
17. Policy BE8 is broadly consistent with the Framework in so far as it seeks to ensure that development is sympathetic to local character. Thus, notwithstanding its age, I do not consider that Policy BE8 is out-of-date. In any event, and for the avoidance of doubt, the presumption in favour of sustainable development does not apply due to the harm that would be caused by the proposal to the significance of the Conservation Area which provides a clear reason for refusing planning permission.

Conclusion

18. The proposal conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.
19. For the reasons set out above, the appeal is dismissed.

Andrew Smith

INSPECTOR

¹ APP/L2630/W/18/3197272