



Appeal Decision

Site visit made on 3 February 2020 by A J Sutton BA Hons DipTP DMS MRTPI

by K Taylor BSc Hons PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th April 2020

Appeal Ref: APP/K0235/W/19/3241346

Land adjacent to 3 Rookery Road, Wyboston, MK44 3AX

- 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 S Sharp against the decision of Bedford Borough Council.
 - The application Ref 19/01277/FUL, dated 3 June 2019, was refused by notice dated 15 October 2019.
 - The development proposed is an erection of a dwelling house.
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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 Matter

3. The Bedford Borough Local Plan 2030 was adopted January 2020 (Local Plan 2030), subsequent to the submission of this appeal. Comments have been sought from both parties as to the effect of the plan adoption on the proposal before me.
4. The Council submitted Appendix 1 of the Local Plan 2030 which indicates that all but one policy cited on the decision notice have been replaced by policies of the recently adopted plan. The appellant has not provided comments on this matter.
5. The supporting text of Policy 6 clarifies that Wyboston is defined as a small settlement excluding the Land Settlement Association Area (LSAA). Both parties agree that the appeal site is within a former LSAA. The appellant has noted that a policies map has yet to be produced and states that the extent of the LSAA is currently unknown. However, I observed the majority of development on Rookery Road is consistent with the distinct features identified as characterising LSAA, that is spaciousness, layout and scale of plot, in particular a dwelling set within a plot of land 1.5 – 2 ha. Furthermore, the style and appearance of many properties, near the appeal site, are also indicative of that described in relevant policy and supporting text. Therefore, I am satisfied, based on the information before me, and through my observations on site, that the appeal site is clearly within a former LSAA. As such Policy 6 has not been decisive in this case.
6. The Council identifies Policy 5S, however, the policy guides development in villages with a Settlement Policy Area which is not applicable to the area within which the appeal site is located. Therefore, this policy is not considered relevant to this appeal.

Main Issues

7. The main issues are:

- the effect of the proposed development on the character and appearance of the area; and
- whether the appeal site is a suitable location for a dwelling in terms of accessibility to services.

Reasons for Recommendation

8. The appeal site is a plot of land which forms part of a small holding at No 3 Rookery Road. The majority of Rookery Road comprises generous plots of land hosting a single dwelling and associated outbuildings. There are some businesses and commercial glass houses and many plots support equestrian activities, including that of the appeal property. The road is adjacent to the small settlement of Wyboston, which is situated close to the busy A1 road. Despite its proximity to the A1, Rookery Road has a peaceful, rural character, with a widely spaced pattern of development, with dwellings generally set back from the straight road, interspersed with trees and hedges and other green spaces.
9. The proposal is for the erection of a 4 bedroomed, two-storey dwelling on a plot of land which bounds No 4. The dwelling would be served by a separate access and with provision for off street parking.

Character and Appearance

10. The appeal site forms part of the former LSAA, created in the early part of last century to set up small holdings to promote agricultural and horticultural practises. The historic use has strongly informed the development pattern which still characterises the area, with originally modest scale dwellings of a distinct built form set in large land plots resulting in a spacious development pattern.
11. Whilst many properties have been altered and extended, the smallholding pattern has generally been retained. In the majority of instances, the original layout of one dwelling with outbuildings set in a plot of land has been maintained along the road.
12. The proposal would introduce a new dwelling, which would not have the benefit of land beyond the immediate proposed garden space, with a side elevation approximately 6 m from the boundary of No 4. Whilst there would be significant space retained between the new dwelling and No 3, the existing pattern of development would be interrupted by the new dwelling given its proposed proximity to No 4. Overall, the proposed layout and scale of plot would fail to maintain the original pattern of development and sense of space and would dilute the local distinctiveness which is core to the character of the area.
13. The National Planning Policy Framework (Framework) emphasises that good design is a key aspect of sustainable development. Planning decisions should ensure that developments are visually attractive as a result of good architecture and permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

14. The design of the proposed dwelling comprises a relatively shallow pitched roof with gables to the side elevations, intersected at the rear to form a short t-shaped configuration, with a wide two storey gable end structure. The roof ridge of the rear structure would sit proud of the principal elevation roof to form a small hipped form visible from the front of the property.
15. The proposed design would introduce a new architectural style and layout more in keeping with a suburban setting, which would fail to reflect the appearance, scale, form, design features or layout of existing dwellings close to the appeal site.
16. Existing dwellings that appear close to their original form, are characterised by 1 ½ storey height, narrow in width with steep pitched roofs and front dormer windows. More significantly altered dwellings generally have two storey front gable ended additions. The design of the proposed dwelling fails to make reference to any of these prevailing design features.
17. The appearance of the proposed dwelling would therefore starkly contrast with surrounding properties, particularly with the neighbouring property (No 4) which retains some key original proportions and features. As such the development would be an unsympathetic addition.
18. The appellant has drawn attention to a number of altered properties to which I have had regard in reaching this recommendation. Further examples were also observed when conducting the site visit. Extensions vary in style with some unsympathetic principal elevation additions and other more successful rear extensions to properties which have retained the architectural integrity of the original dwelling. The images provided show dwellings which all differ substantially from the design of the proposal. Although much altered, the dwellings retain common features characteristic of properties in the area for example the steep roof pitches and/or the dormer detail. They are also single dwellings set in generous plots as opposed to the layout proposed which is limited to a modest garden space and parking provision.
19. It is therefore concluded that the proposed development would fail to maintain the distinct spatial pattern and style and appearance of dwellings in the former LSAA and would be contrary to Policy AD44 of the Allocations and Designations Local Plan 2013. This requires development in former LSAA to maintain the distinct spatial pattern, layout and scale of plots, respect the style, scale, appearance and orientation of dwellings and separation between them. The proposal would also be contrary to Policies 28S, 29 and 30 of the Local Plan 2030 which, amongst other matters, requires development to be of a high quality in terms of design, complementing the character of the area with particular attention on considering the relationship of the development with the context in which it is placed, the extent to which it reinforces local distinctiveness and the quality of development in terms of scale, massing, height and layout.

Suitable Location

20. The appeal site is in a rural setting. It is not isolated from other dwellings and the development would be close to the small settlement of Wyboston, which has some potential employment opportunities and limited services. However, the appeal site is within the former LSAA and therefore despite its proximity to Wyboston is in countryside for the purposes of the Local Plan 2030.

21. Policy 3S of the Local Plan 2030 provides an overarching strategic framework to deliver sufficient new development in sustainable locations to meet identified need, amongst other matters, allowing only limited development in rural service centres and safeguarding the intrinsic character of the countryside.
22. Policy 7S of the Local Plan 2030 incorporates sufficient flexibility to support the provision of new homes where they will enhance or maintain the vitality of rural communities and meet identified need. The proposal would not be a category of development that the Policy states will be permitted if it is appropriate in the countryside in accordance with specified policies of the Local Plan. Furthermore, by virtue of its scale, the proposed development would only make a limited contribution to supporting the vitality of local services in and near Wyboston.
23. The Framework requires that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering genuine choice of transport modes. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in decision making.¹
24. Footpaths are of a reasonable standard which would allow safe pedestrian access to Wyboston. Roads in the area are flat and straight and the footbridge over the A1 has a ramp for ease of use. However, given the nature of the proposal, which would comprise a house suitable for a family, and the limited nature of local services, it would be reasonable to conclude that it is very likely that occupiers of the new dwelling would rely on a private vehicle to access other services, shopping, schools and work.
25. The availability of bus services is noted. However, services in Wyboston appear intermittent at best and whilst more regular services to urban settlements are available on the A1 this would require approximately 1 km walk from the appeal site, which could be difficult with small children and for individuals with poor mobility.
26. I have had regard for the appeal site's proximity to the urban settlements of Eaton Socon and St Neots. Whilst the appeal site is geographically close and the rural community would inevitably have a strong connection with these centres, Rookery Road is severed from them by the A1 and has a different planning context than that of these urban settlements. I have nothing before me that would suggest that these circumstances are likely to alter.
27. I note the tunnel under the A1, however this is accessed in part via stretches of unmade footpaths. Whilst this may, at certain times of the year, be a pleasant walk, it is unlikely to be a realistic regular route to the urban settlements for families with children, cyclists and less physically able individuals.
28. In light of the foregoing, it is concluded the proposed dwelling would be development in the countryside that would not make a meaningful contribution to supporting the vitality and viability of limited local services and would not contribute to the creation of a safe, accessible and healthy community. Therefore, it would be contrary to Policies 3S and 7S of the Local Plan 2030 in so far as these policies seek to deliver sustainable development and growth that enhances the vitality of the Borough's rural communities. Furthermore, the

¹ Paragraph 103 of the Framework

proposal would conflict with relevant criteria set out in Policy 7S which provides support, exceptionally, for development proposals on sites well related to small settlements where it can be demonstrated that it responds to identified community need, is supported by the parish council, is of a scale to support local facilities and the development contributes positively to the character of the settlement.

29. The development would also be contrary to the Framework which states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of the rural communities.

Planning Balance and Conclusion

30. The Council has recently adopted the Local Plan 2030 and it is understood that a 5 year housing land supply can be demonstrated in the Borough. Indeed, the Report on the Examination of the Local Plan 2030 confirms around a 5.4 year supply. Both parties have been provided with the opportunity to comment on the adoption of the Plan and no evidence has been submitted to indicate any meaningful amendments to the supply of deliverable housing sites has occurred. This being so, the development plan policies would not be out-of-date and the approach to decision making, as set out in paragraph 11 d) of the Framework would not be engaged.
31. The proposal would make efficient use of previously developed land for much needed houses and I attach limited weight to the benefit of securing one dwelling in supporting the vitality of the nearby small settlement. I note also the proposed potential ecological enhancements and sustainable energy and water management design features of the proposed development, to which I have also had regard to in reaching this recommendation.
32. However, these limited benefits would not outweigh the identified conflict with the Council's spatial strategy or the harm the proposed development would have on the character of the area and which would result from developing a site in an unsuitable location. On balance, the proposal would be contrary to the development plan when read as a whole, and I conclude that other material considerations identified are not sufficient to outweigh this conflict.

Recommendation

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

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

34. I have considered all the submitted evidence and concur that the appeal should be dismissed.

K Taylor

INSPECTOR