



Appeal Decision

Site visit made on 11 June 2020

by A Denby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2020

Appeal Ref: APP/P0240/W/20/3245286

Land adjacent Gravenhurst Road, Shillington, SG5 3PB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Steve Fountain (Lancot Developments Ltd) against the decision of Central Bedfordshire Council.
 - The application Ref CB/19/03476/OUT, dated 14 October 2019, was refused by notice dated 7 January 2020.
 - The development proposed is erection of two residential chalet type dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Outline planning permission is sought, but with access and layout to be determined at this stage. I have therefore considered the appeal on this basis.
3. In its evidence the Council referred to policies within the emerging Central Bedfordshire Local Plan 2035. Whilst this plan has completed Examination in Public, I understand that further modifications are necessary. The Council has not conveyed how this may affect the policies to which it has referred. Therefore, whilst I have had regard to them, bearing in mind its stage of preparation, it does not carry full weight.

Main Issue

4. The main issue is whether the site is an appropriate location for housing having regard to the character and appearance of the countryside.

Reasons

5. The site forms part of a paddock located to the south of Gravenhurst Road, close to its road junction with Bury Road. The proposal is to erect 2 dwellings on the site that would front on to, and be accessed from, Gravenhurst Road. The site is located to the north of Shillington, though it is not within the settlement envelope.
6. I saw on my site visit that whilst there is more clustered development to the south, the settlement pattern to Bury Road is distinctly linear, and development is predominately concentrated to the western side of the road. The appeal scheme rather than fitting in with this, would be detached from existing development, and introduce development fronting Gravenhurst Road.

As such it would be at odds with the established pattern of development and could not be considered to form part of the existing linear arrangement.

7. There is existing planting to the site frontage and mature trees with an informal grassed access into the paddock via a steel gate. There is a redundant shed within the north-west corner of the site and the wider paddock is enclosed by post and rail fencing but otherwise devoid of structures. The land levels within the paddock slope gently to the south and there are extensive views over the countryside. The site therefore visually forms part of the open countryside and although it may not be subject to any landscape designations, it retains a rural character and appearance.
8. There is little built development to Gravenhurst Road and significant separation between the site and any development further west. There are extensive views of the surrounding countryside and fields and, with no surfaced footpath, just grass verges and mature planting to either side of the road, Gravenhurst Road, has a distinct rural character. The appeal site has the same qualities and there is a clear transition at this point, to the west of the road junction, in character, from the built form along Bury Road and more sporadic development along Upton End Road, to the open countryside.
9. As detailed above, the site is physically detached from existing development and consequently the appeal scheme would be viewed in the context of a rural setting. The change in land levels to the south would further exacerbate this as the dwellings would be within an elevated and prominent position.
10. The appellant has stated the scheme would mirror existing development on Upton End Road. However, whilst there is development to the opposite corner of the road junction that site has a boundary and pedestrian access to Bury Road, and visually it does relate to the existing linear development.
11. I also saw on my site visit that Upton End Road has a different character and appearance. There is significantly more built development along this stretch of road and there is a surfaced footpath along large sections of the highway. Its character and appearance is therefore not directly comparable.
12. The proposed layout shows the dwellings would be in close proximity to the site boundaries and, whilst there is variation in plot sizes within the wider settlement, and minimum standards in relation to the size of the outdoor garden area would be met, they would lack the more spacious character of existing development in the more immediate vicinity.
13. The existing landscaping to the site frontage, within the roadside verge, would provide some screening. However, the layout shows that the vehicular access and car port would directly adjoin the front boundary, and there would be little opportunity for landscaping within the site or around the dwellings themselves.
14. There would be scope for more substantial landscaping to the rear, though these areas would likely be used as outdoor amenity space. This could limit the long-term retention of any substantial landscaping, as future occupants would seek to maximise the southerly aspect and extensive views over the countryside.
15. On the basis of the details before me, I am not satisfied that the proposals could achieve a landscaping scheme that would adequately screen the built development. Any landscaping would also take time to establish and be unlikely

to completely screen the development or mitigate its harmful visual impact on the rural character of the site. Furthermore, although some concerns could be addressed to an extent at reserved matters stage, the appeal scheme would still not relate well to the existing pattern of development in the area due to its siting and proposed layout.

16. The proposal also involves a more formalised access from Gravenhurst Road. This would be at odds with the agricultural character and appearance of the existing access. It would have a more urbanising effect, and along with other urban influences, such as parked vehicles, domestic paraphernalia, such as washing lines and children's play equipment and the proposed dwellings themselves, detract from the rural character of the street scene.
17. The appeal scheme, although not isolated in respect of its proximity to other dwellings, would be at odds with the established pattern and character of development. It would result in the creep of built development further into the countryside. This would have an urbanising impact, which would harm the rural character of the site and surrounding area and would not be appropriate in terms of the existing settlement form and pattern. Furthermore, the development would erode the contribution that the existing paddock makes to the character and appearance of the countryside around the settlement.
18. For the above reasons, I conclude that the development would conflict with Policies DM3, DM4 and CS14 of the Central Bedfordshire Core Strategy and Development Management Policies, 2009 (LP) which seek to ensure that development is within settlements except in certain circumstances, achieve high quality, complement the surrounding pattern of development, respect local context and contribute positively to creating a sense of place. For the same reasons the proposal would fail to achieve the high-quality design requirements of the Central Bedfordshire Design Guide, 2014 and Section 12 of the National Planning Policy Framework (the Framework).

Other Matters

19. The appellant has provided an extract from the document '*Department for Environment Food & Rural Affairs: Towards a one nation economy: A 10-point plan for boosting productivity in rural areas, August 2015*'. The extract refers to the availability of housing within rural towns and villages being increased, though it clearly states that this is to be done whilst protecting the countryside. This is reflective of the guidance within the Framework, which as detailed above, I have found the appeal scheme to be in conflict with. This document does not, therefore, lead me to a different conclusion.
20. The appellant has referred to previous approvals for 2 dwellings on Bury Road¹. From the details submitted it is evident that there are distinct differences between that site and the appeal site. Whilst that site was also located outside of the settlement envelope, it fronted and would be accessed from Bury Road. The dwellings continue the existing strong linear pattern of development and would be very much viewed in that context. I therefore do not consider this development to be directly comparable to the appeal site or scheme.
21. Furthermore, although not constructed at the time of my site visit, the presence of these dwellings would not significantly alter the existing character

¹ CB/18/04503/FULL & CB/17/00276/FULL

and appearance of the site or Gravenhurst Road. The development proposed as part of the appeal scheme would still be physically and visually detached from the linear pattern of development and result in harm to the rural character of the site and surrounding area. These other matters do not, therefore, lead me to a different conclusion.

Planning Balance

22. The parties agree that LP Policy DM4 is not wholly consistent with Paragraph 170 of the Framework, though there is some disagreement over the weight which should be attached to the Policy.
23. LP Policy DM4, through the identification of settlement envelopes, largely differentiates the built-up areas of settlements from the open countryside beyond. This Policy also identifies forms of development that would generally be acceptable within settlements and essentially discourages development within the countryside. The Policy, therefore, in part protects the countryside for its own sake and in that regard departs from the approach advocated in the Framework, by not recognising different levels of protection for landscapes and the countryside's intrinsic character and beauty.
24. However, the supporting text to the Policy states that the settlement envelopes were drawn not only to protect the countryside for its own sake, but also to protect the coalescence of settlements and, in the case of places like Shillington, to protect the separate character and physical identity of the various 'Village Ends'. Considering this whilst LP Policy DM4 is not wholly consistent with the Framework, in determining this appeal I consider moderate weight should be attached to it. In reaching this view I have had regard to the appeal decisions put forward by the parties and this approach to LP Policy DM4 is similar to that taken by other Inspectors.
25. The appellant has stated that no weight should be attached to LP Policy DM4 as it pre-dates the Framework. However, Paragraph 213 of the Framework states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework and, as explained above, I consider the policy should be afforded moderate weight. The conflict with LP Policies DM3 and CS14 would be sufficient to dismiss the appeal, and even only attaching moderate weight to the conflict with LP Policy DM4 means that does not alter the situation.
26. I note that the LP and the Framework seek to balance the need for development in rural locations and direct development close to larger, more sustainable centres. The proposed dwellings would make a contribution toward sustaining rural communities and local housing supply, and these would be benefits of the scheme.
27. However, given the small scale of the proposal, these contributions would be very modest, and would carry only limited weight in favour of the proposal. The LP Policies and the Framework are also clear that sites should be physically well-related to existing settlements and developments need to be sensitive to their surroundings. As detailed above this is not the case with the appeal scheme.

28. The Covid-19 pandemic has impacted the housebuilding industry and other sectors of the economy. The pandemic is ongoing though lockdown restrictions are being eased and construction sites are now opening. At this stage though, as the response to the pandemic continues, the impacts on housing completions are not fully known.
29. The construction industry will be important to economic recovery, though considering the small scale of the site any employment created during construction would only result in temporary and modest benefits. There is also nothing to suggest that in dealing with the recovery it would be necessary to undertake development on sites that are not policy compliant. Therefore, whilst I have taken this into account, I do not consider these benefits would be sufficient to outweigh the harm I have identified.

Conclusion

30. For the reasons stated above I therefore conclude that the appeal should be dismissed.

A Denby

INSPECTOR