



Appeal Decision

Site visit made on 17 August 2020

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 August 2020

Appeal Ref: APP/P0240/W/20/3252094

101 High Street, Ridgmont MK43 0TY

- 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 S Roberts against the decision of Central Bedfordshire Council.
 - The application Ref CB/20/00722/FULL, dated 13 February 2020, was refused by notice dated 8 April 2020.
 - The development proposed is new 3 Bed Dwelling with associated parking.
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Decision

1. The appeal is allowed and planning permission is granted for a new 3 bed dwelling with associated parking at 101 High Street, Ridgmont MK45 0TY, in accordance with the terms of the application, CB/20/00722/FULL, dated 13 February 2020, subject to the conditions set out at the end of this decision.

Application for costs

2. An application for costs was made by Mr S Roberts against Central Bedfordshire Council. This application is the subject of a separate Decision.

Procedural Matter

3. 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. There is nothing before me to indicate that the CBLP is currently at a stage that should attract anything more than limited weight. I shall consider the appeal on this basis.

Main Issues

4. The main issues are:
 - Whether or not the proposal would be inappropriate development in the Green Belt;
 - The effect on the openness of the Green Belt; and
 - Whether or not the proposal would preserve or enhance the character or appearance of the Ridgmont Conservation Area (the CA).

Reasons

Whether inappropriate development

5. The National Planning Policy Framework (February 2019) (the Framework) sets out that the construction of new buildings should be regarded as inappropriate development in the Green Belt, unless one of several stated exceptions apply. These exceptions include limited infilling in villages. It is apparent that the site lies inside Ridgmont's defined Green Belt Infill Boundary, which indicates that the site is located within a village. It is disputed between the parties whether or not the proposal would represent limited infilling.
6. In the absence of a nationally prescribed definition for limited infilling, it is important and appropriate to consider the Council's development plan for direction in this regard. The supporting text to Policy DM6 of the Central Bedfordshire Core Strategy and Development Management Policies (November 2009) (the CBCSDMP) defines infill development as small-scale development utilising a vacant plot which should continue to complement the surrounding pattern of development.
7. I am satisfied that the proposed development of a single dwelling is accurately described as small-scale and that the appeal site, which is formed of private garden land, could be considered vacant notwithstanding small ancillary structures that I observed at its northern end during inspection. Thus, in accordance with the CBCSDMP's definition of infill development, it remains for me to consider whether the proposal would complement the surrounding pattern of development.
8. High Street, in the appeal site's vicinity, is fronted by different property types setback a variety of different distances from the highway to both of its sides. Nevertheless, immediately adjacent to the site are positioned Nos 95-101 High Street (the terrace). These properties are routinely set out along a staggered front building line and appear as a well-balanced element within the streetscene. The proposed dwelling would be positioned to respect and broadly complement the position of the staggered front building line as well as the form and scale of the individual properties contained within the terrace. I also note that there are detached premises close by, including to the opposing western side of the terrace, as well as numerous other private accesses and front-positioned parking areas.
9. For the above reasons, the proposal would complement the surrounding pattern of development and meet the development plan's definition of infill development. I am thus satisfied that the proposal represents limited infilling within a village, such that it would not be inappropriate development in the Green Belt. Very special circumstances do not therefore need to be demonstrated in order to justify the proposal. The proposal would not conflict with Policy DM6 of the CBCSDMP nor the Framework in so far as these policies support the principle of infill development in specified circumstances and make it clear that inappropriate development is, by definition, harmful to the Green Belt.

Openness

10. As I have found that the proposed development would not be inappropriate development in the Green Belt in accordance with an exception that does not

expressly state a need to assess its effect on openness or whether it would conflict with the purposes of including land within the Green Belt, the proposal should not be regarded as harmful either to the openness of the Green Belt or to the purposes of including land within it¹.

11. The proposal would not therefore cause harm to the openness of the Green Belt and would not conflict with the Framework in so far as its policies confirm that the essential characteristics of Green Belts are their openness and their permanence.

Ridgmont Conservation Area

12. The significance of the CA as a designated heritage asset, is drawn, in part, from its ribbon-like form and estate village appearance. This is consistent with the analysis contained within the Ridgmont Conservation Area Appraisal (December 1992) (the RCAA). Properties within the CA are commonly set out to address High Street from often spacious and well-planted grounds. The CA's significance is further defined by its predominantly rural approaches and surroundings, and its significance continues to be identifiable despite various modern infill developments that have taken place.
13. The terrace is formed of a row of four neatly designed red-brick Bedford Estate cottages that are identified as being 'other important buildings' within the RCAA. They are set behind a wide grassed verge and planted front garden areas. The openness provided by these vegetated features contributes positively to the terrace's setting. Indeed, the terrace makes a historic and visually distinctive contribution to the character and appearance of the CA and has, correctly in my view, been identified by the Council as a non-designated heritage asset.
14. It has been brought to my attention that a recent appeal² at the site for a similar form of development was dismissed, in-part due to the finding that it would neither preserve or enhance the character or appearance of the CA. Various amendments have been made in response to the reasons given by the previous Inspector, which are reflected in the proposal that is now before me. Indeed, the proposed dwelling would no longer protrude beyond the staggered front building line of the terrace, the intended east-facing side elevation would incorporate window openings so as not to be of blank composition and intended access/parking arrangements have been refined.
15. It is proposed that a new vehicular access and parking area for up to two vehicles be provided to the front of the site. The potential urbanising effect of such features would be limited given their scale and the notable extent of existing screening/planting that is intended to be retained. Also, the access and parking area would not appear as entirely unexpected features given the prevalence of other accesses and front parking areas nearby along High Street.
16. The proposed dwelling would be sensitively proportioned, detailed and positioned in alignment with the terrace. Notwithstanding the proximity of their relationship, I do not consider that the proposed dwelling would harmfully diminish opportunities for the terrace to be viewed and appreciated. Furthermore, upon the approach into the village (from the northeast), I observed hedgerows and other planting to screen and filter available views of

¹ Court of Appeal judgement Lee Valley Regional Park Authority v Epping Forest District Council, 2016 refers¹

² APP/P0240/W/19/3228313

the terrace to a considerable extent. In the context explained here, I do not consider that the proposal would appear as a harmful extension of development at the edge of the CA.

17. For the above reasons, the proposal would preserve the character and appearance of the CA and would not lead to harm being caused to the significance of designated or non-designated heritage assets. The proposal accords with Policies CS15, DM3 and DM13 of the CBCSDMP in so far as these policies require that the District's heritage will be protected, conserved and enhanced and that all proposals for new development will respect and complement the context and setting of all historically sensitive sites. The proposal also satisfactorily accords with the guidance contained within the Central Bedfordshire Design Guide (September 2014) in so far as it places emphasis upon the need for new development to be of the highest possible quality.
18. The proposed development accords with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conditions

19. The Council has suggested a number of conditions that the appellant has had the opportunity to comment upon and which I have considered against advice in the Framework and Planning Practice Guidance. As a result, I have amended some of them for consistency and clarity purposes. Pre-commencement conditions have only been applied where agreed to by the appellant in writing and where necessary to guide initial works on site.
20. In the interests of certainty, a condition specifying the approved plan is required. To ensure the preservation of the CA's character and appearance, conditions are reasonable and necessary that secure full details of external facing materials, of boundary treatments and of hard and soft landscaping (including full details of existing planting to be retained and a scheme of landscape maintenance).
21. In the interests of highway safety, conditions are reasonable and necessary to secure full access junction details, the provision of hard-bound surfacing adjacent to the highway and the installation of measures to ensure that surface water is disposed of appropriately inside the site.

Conclusion

22. For the above reasons, the appeal is allowed subject to conditions.

Andrew Smith

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in full accordance with the following approved plan: LB-0073 Revision E.
- 3) No development shall take place until full details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
- 4) No development shall take place until a landscaping scheme to include full details of existing planting to be retained, of new hard and soft landscaping and of landscape maintenance for a period of five years following the implementation of the landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved soft landscaping shall be carried out in the first full planting season following the first occupation or the completion of the development, whichever is the sooner (a full planting season means the period from October to March). Any existing or newly planted trees, hedges, shrubs or grass shall subsequently be maintained in accordance with the approved landscape maintenance details and any planting which dies or is destroyed during the five-year maintenance period shall be replaced during the next planting season.
- 5) No development shall take place until full details of the junction of the vehicular access with the highway have been submitted to and approved in writing by the Local Planning Authority and the junction shall be constructed in full accordance with the approved details prior to the first occupation of the development.
- 6) The site's vehicular access shall, prior to the first occupation of the development, be surfaced in a durable hard-bound material for a distance of at least 5m into the site when measured from the highway boundary. Arrangements shall be made and thereafter retained for surface water to be intercepted and disposed of separately so as not to discharge from the site onto the public highway.
- 7) A scheme indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of the development and thereafter retained.