
Appeal Decision

Site visit made on 30 November 2020

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2020

Appeal Ref: APP/P0240/W/20/3259146

Land at Chalton Stables, Blunham Road, Moggerhanger MK44 3RA

- 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 J White against the decision of Central Bedfordshire Council.
 - The application Ref CB/20/01715/OUT, dated 3 June 2020, was refused by notice dated 24 July 2020.
 - The development proposed is erection of two (2x) detached dwellings and two (2x) detached double garages.
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Decision

1. The appeal is dismissed.

Application for costs

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

Preliminary Matters

3. The appeal proposal is for outline planning permission with all detailed matters apart from access reserved for future approval. Whilst not formally part of the scheme, I have treated any details submitted with the appeal application relating to matters of appearance, landscaping, layout and scale as a guide to how the site might be developed.
4. 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

5. The main issues are:
 - Whether or not the site represents an appropriate location for housing, having particular regard to access to facilities and services; and
 - The effect upon the character and appearance of the area.

Reasons

Facilities and services

6. 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. Indeed, the Framework also sets out that where there are groups of smaller settlements, development in one village may support services in a village nearby.
7. Policy DM4 of the Central Bedfordshire Core Strategy and Development Management Policies (November 2009) (the CBCSDMP), through the identification of Settlement Envelopes, differentiates the built-up areas of settlements from areas of countryside situated beyond. The site sits outside of any defined Settlement Envelope. Thus, under the terms of Policy DM4, the site is located within the countryside.
8. Policy DM4's supporting text confirms that Settlement Envelopes are not an attempt to define the extent of a particular town or village community. Indeed, the policy does not explicitly prevent all types of development outside of defined envelopes where no land is available within a settlement and proposed development adjacent to it would make best use of available land and lead to more sustainable communities. Whilst restrictive in its nature, Policy DM4 accommodates rural development based on objectives that are broadly consistent with the Framework.
9. The appeal site is situated in proximity to existing development such that it does not occupy an isolated location in a purely physical sense. Even so, the site is positioned such that it is disconnected from its nearest settlements containing facilities and services to serve day-to-day needs. These nearest settlements include Moggerhanger, a Small Village as defined in the District's Settlement Hierarchy (as set out under Policy CS1 of the CBCSDMP) and Blunham, a Large Village. These settlements contain a range of facilities and services, which include a primary schools and public houses. Sandy, a Major Service Centre, contains a wide range of facilities and services and is situated fairly close by to the east.
10. The highway routes leading from the site are not initially lit or served by footways or defined cycle lanes. When also factoring in the not insignificant distances involved to reach the centres of the nearest settlements referenced above, the site's location does not readily promote travel by foot or by cycling. Furthermore, the nearest bus stops to the site would not be convenient to reach on foot. The proposal would inevitably 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. This is even when noting the limited quantum of development under consideration.
11. I have noted a February 2019 appeal decision¹ relating to neighbouring land situated to the east of the existing stables, where the appeal was successful and planning permission was granted for the erection of a single dwelling. The

¹ APP/P0240/W/18/3211614

Inspector identified that the majority of journeys to access local services and facilities would be made by private car and that harm would arise from that development's failures to support a low-carbon economy and to promote walking, cycling and public transport use.

12. The weight applied to that identified harm was influenced by, amongst other considerations, merely a single house being under consideration that was intended to be occupied by the appellant/owner of the stables (also the appellant in this appeal). It is now the case that two additional units of residential accommodation are proposed, and, particularly in light of the permission granted in February 2019, no longer could an argument realistically be sustained that the development would be anticipated to result in fewer vehicle journeys to the adjacent stables. There are thus material differences that exist between the scheme allowed on appeal in February 2019 and the proposal that is now before me.
13. 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. I have factored this requirement and other Framework provisions (as set out at the outset to this reasoning) into my considerations and have also noted a stated intention to install charging points for hybrid and electric cars. Nevertheless, I still find that the proposal would cause a moderate degree of harm by virtue of the site not representing an appropriate location for housing having particular regard to access to facilities and services. The proposal conflicts with Policies CS1 (Development Strategy) and DM4 (Development Within and Beyond Settlement Envelopes) of the CBCSDMP.

Character and appearance

14. The main body of the appeal site is comprised of part of a grassed field that is situated to the west of existing stabling and that makes up part of a wider network of agricultural land. Only limited elements of vegetation are in place along the site's northern boundary, such that a range of open views of the site are available from Blunham Road (the road). Whilst there are sporadic instances of development in place along the road, its overriding character and appearance in the vicinity of the main body of the appeal site remains green and rural.
15. The proposal involves the intended introduction of two detached dwellings and associated detached garages. I accept that the scheme is at outline stage and that the dwellings and garages could ultimately come forward at a low scale and be built from materials seeking to reference the rural character of the area. Nevertheless, the fundamental issue here is that the proposal would introduce built development to exposed land that is inherently rural and agricultural in its makeup. Indeed, the proposal would appear as a noticeable urbanising excursion into the open countryside.
16. With respect to the scheme allowed on appeal in February 2019, the Inspector found that a dwelling to the east of the stables would not have an unduly urbanising effect and would not be at odds with the pattern of sporadic and domestic development seen elsewhere in the vicinity. Furthermore, as regards a revised scheme allowed on appeal² in that same location in March 2020, the

² APP/P0240/W/19/3242337

Inspector found that the overall design would sit well within the setting of that particular site.

17. However, the site to the east of the stables has differing characteristics and surrounding context when compared to the appeal site here. Indeed, the site to the east is positioned in proximity to a terrace of residential properties served by long rear gardens and incorporates a bunded landform to its northern side. It is also the case that, as regards each of the February 2019 and March 2020 appeal decisions, only a single additional unit of accommodation upon a relatively tightly defined site was under consideration. These other appeal decisions are thus of limited relevance to the proposal that is before me.
18. It has been brought to my attention that planning permission³ was granted in June 2018 for an agricultural/equestrian storage building to the rear of the existing stabling. This is a permission that has yet to be built out. Should this storage building ultimately be constructed, it would occupy a relatively discreet location setback beyond the stables and away from the road. I also note that its approved design indicates a simplistic building of agricultural appearance, which is consistent with its intended function. The existence of this permission does not justify a residential development of the appeal site.
19. For the above reasons, the proposal would cause harm to the character and appearance of the area. The proposal conflicts with Policy DM3 of the CBCSDMP in so far as it requires all proposals for new development to be appropriate in scale and design to their setting and to contribute positively to creating a sense of place.

Planning Balance

20. Whilst Policy DM4 of the CBCSDMP is a restrictive policy, I have found it to be based on objectives that are broadly consistent with the Framework. I afford moderate weight to the proposal's conflict with Policy DM4. I note here that the Inspector in February 2019, when determining an appeal upon neighbouring land, applied reduced weight to an identified conflict with Policy DM4 due to its restrictive nature. To my mind, this finding was not fundamentally different to my own. Indeed, moderate weight is reduced in its extent when compared to full weight. Having considered all the evidence that is before me, including various recent appeal decisions related to sites elsewhere within the District, I am content that a moderate attribution of weight is appropriate. I am also satisfied that the policies most important for determining this appeal, which include Policy DM4, when taken as a whole, are not out-of-date.
21. The appellant has challenged the Council's ability to demonstrate a 5-year supply of deliverable housing sites. However, a Five-Year Housing Land Supply Statement (July 2020) has been submitted that indicates that in excess of a 5-year supply of deliverable housing sites can currently be demonstrated within the District. Various recent appeal decisions relating to sites elsewhere in the District appear in the evidence before me, which also draw positive conclusions in a housing supply sense. In the absence of any clear evidence to the contrary, I am satisfied that a supply shortfall does not exist. I have thus not

³ CB/18/00404/FULL

applied the presumption in favour of sustainable development as set out at paragraph 11 of the Framework.

22. In terms of the scheme's benefits, it is the case that two additional residential units are proposed, and the Framework reaffirms the Government's objectives of significantly boosting the supply of homes and making effective use of land. Nevertheless, the provision of two additional units would not make a noticeable difference to the District-wide housing supply situation and is thus a benefit that attracts limited weight.
23. The scheme would also create jobs during the construction phase, provide support to the local economy and local community facilities once occupied and offer additional Council Tax revenue. I also acknowledge the economic and social implications of the Covid 19 pandemic. However, when also factoring in the scale of development under consideration, these benefits attract somewhere between limited and moderate weight in cumulative terms.
24. Thus, the contributions associated with the delivery and subsequent occupation of the proposal would be modest and, when considered cumulatively, would not outweigh the harms and associated policy conflicts that I have identified. The proposal conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

25. For the reasons given above, the appeal is dismissed.

Andrew Smith

INSPECTOR