



Appeal Decision

Site Visit made on 19 January 2021

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 February 2021

Appeal Ref: APP/P0240/W/20/3260791

Land between 30 and 32 Woodside Road, Lower Woodside LU1 4DQ

- 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 G Sayers against the decision of Central Bedfordshire Council.
 - The application Ref CB/20/02009/FULL, dated 29 May 2020, was refused by notice dated 13 August 2020.
 - The development proposed is erection of pair of semi-detached dwellinghouses with associated hard and soft landscaping.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect on the openness of the Green Belt;
 - The effect upon the character and appearance of the area; and
 - Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether the proposed development would be inappropriate development

3. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new dwellings is regarded as inappropriate in the Green Belt save for a number of specified exceptions, one of which is the limited infilling of villages.
4. Policy GB3 of the South Bedfordshire Local Plan Review (2004) (LP) outlines a list of villages excluded from the Green Belt where new development will be permitted within defined boundaries. The appeal site is not located within one of the settlements listed.

5. LP Policy H12 relates to the limited infilling of villages in the Green Belt. Amongst other things it makes clear at criterion (i) that the site should be within the infilling boundaries defined for the village.
6. The appeal site is not located within a defined village boundary and forms part of an open field that wraps around 32 and 34 Woodside Road creating a gap between these properties and 30 Woodside Road. This group are not contiguous with, and are separated from, denser linear development opposite extending along Woodside Road and Manor Road. Housing otherwise is more sporadic and there is a clear change in development pattern from the denser built up envelope opposite. The open nature of the site and the sporadic nature of the existing housing on this side of the road contribute to the verdant and rural character of the immediate area.
7. Notwithstanding the presence of neighbouring dwellings either side, in my judgement, the site is not a gap located within an otherwise built up residential frontage due to the sporadic nature of houses along this side of Woodside Road and the significant separation between the houses either side and other properties along the road. Nor does it form part of the built up envelope of Lower Woodside. Furthermore, the site does not have the characteristics of an obvious gap site as it forms part of an open field that wraps around Nos 32 and 34. Consequently, it does not constitute limited infill in a village.
8. As such, the proposed development constitutes inappropriate development as set out in paragraphs 145 and 146 of the Framework and would be contrary to Policies GB3 and H12 of the LP.

The effect on openness

9. The Framework states that one of the essential characteristics of the Green Belt is its openness. Openness is the absence of development notwithstanding the degree of visibility of the land in question from the public realm. Openness has both spatial and visual aspects.
10. Whilst the site is partially screened the proposed development comprising a pair of semi-detached dwellings and the associated infrastructure and domestic paraphernalia would have a substantial impact on openness in both visual and spatial terms. This loss of openness would not be overcome through the introduction of new landscaping.
11. As such, I find that there would be a loss of openness of the Green Belt and this harm would be substantial contrary to the aims and objectives of the Framework.

Character and appearance

12. I acknowledge that the proposed development would have a similar set back and plot size and shape as neighbouring properties and its appearance would be sympathetic to the local area. However, in my view, the scheme would not integrate into the wider landscape. It would be very apparent and intrusive appearing as an incongruous form of development that would change the verdant appearance of the site into something more urban. Whilst relatively localised, it would significantly erode its verdant and rural appearance affecting its character and appearance.

13. I conclude that the proposed development would adversely affect the character and appearance of the area contrary to Policy BE8 of the LP which, amongst other things, seeks to ensure that development proposals enhance or reinforce character and local distinctiveness and complement and harmonise with local surroundings.
14. It would also be contrary to Sections 12 and 15 of the Framework which, amongst other things, seek to ensure that developments are sympathetic to local character including landscape setting and should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

Other Considerations and Balancing Exercise

15. The development plan consists of the South Bedfordshire Local Plan Review. The emerging Local Plan has been examined in public and the examining Inspector has set out their interim findings. From the evidence before me there are relevant policies which may well be subject to further consultation and modification. As such, I attach very limited weight to the policies contained within the emerging Local Plan with regard to the scheme before me.
16. There is dispute between the parties as to whether or not the Council can demonstrate a deliverable five-year supply of housing land. Without any credible evidence to refute the Council's position there is a strong indication that a deliverable five-year supply of housing land exists.
17. Even if the Council was unable to demonstrate a deliverable five-year supply of housing land footnote 6 of paragraph 11 d) states that Green Belt is a protected area and as set out above there is clear reason for refusing the development in respect of Green Belt impact. Consequently, paragraph 11 d) is not engaged.
18. The proposed development would make a small contribution to the Council's housing supply which would be a factor in the schemes favour. However, the site is some distance from local services in Caddington or Slip End. The roads leading to these villages are largely devoid of footways and streetlighting and local bus services are infrequent. Walking to and from the site would be difficult and potentially dangerous particularly for the young, elderly and those with mobility issues. As such, the use of car is the only practical means for future residents to access the services that they may require. In my view the site is not easily accessible to local services and facilities and any contribution to their vitality would be limited.
19. Whilst the proposed development would generate tax revenue its social and economic benefits would be limited and primarily related to short term employment during the construction period.
20. The appellant contends that undeveloped the site serves no community or viable purpose in Green Belt terms. In my view, the site positively contributes to the surrounding area's verdant and rural appearance and its redevelopment as proposed would undermine this contribution. As such, this does not lead me to reach a different conclusion on the matter.
21. Whilst the proposed development would not adversely affect the living conditions of existing neighbouring occupiers and would provide satisfactory parking and circulation space these are neutral factors in the planning balance.

22. I acknowledge that the proposal would not conflict with the purposes of the Green Belt, as set out in paragraph 134 of the Framework. However, this is neutral in the overall planning balance as there would be no additional harm to that already identified.

Conclusion

23. In line with the Framework the proposal would be inappropriate development in the Green Belt. It would also result in the loss of openness. I attach significant weight to this harm, as required by paragraph 144 of the Framework. I have also found harm with regard to the character and appearance of the area.
24. There are no other considerations in this case that would clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.
25. For the reasons set out above the appeal does not succeed.

Bhupinder Thandi

INSPECTOR