



Appeal Decision

Site Visit made on 23 March 2021

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 March 2021

Appeal Ref: APP/P0240/W/20/3264080

Land Adjacent To No 240 Dunstable Road, Studham, Dunstable LU6 2QJ

- 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 Mrs Walker against the decision of Central Bedfordshire Council.
 - The application Ref CB/19/02721/FULL, dated 19 August 2019, was refused by notice dated 1 June 2020.
 - The development proposed is new detached dwelling with new vehicular access.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The emerging Central Bedfordshire Local Plan 2015-2035 was submitted to the Secretary of State to be examined in 2018, but it is not yet adopted. Details of unresolved objections to the plan have not been submitted and so I am uncertain whether the emerging policies would be adopted in the form provided to me. As such, these policies attract limited weight in my assessment.

Main Issues

3. The main issues are whether the proposal would preserve or enhance the landscape and scenic beauty of the Chilterns Area of Outstanding Natural Beauty (the AONB) and its effect on the character and appearance of the Area of Great Landscape Value (the AGLV) and the site's surroundings.

Reasons

4. The site lies in the AONB and the National Planning Policy Framework (the Framework) states that great weight should be given to conserving and enhancing the landscape and scenic beauty of such areas. No adopted development plan policy that refers to the AGLV has been provided. However, saved policy BE8 of the South Bedfordshire Local Plan Review 2004 (the LP) states that development should protect and conserve attractive natural features.
5. The site is between 240 Dunstable Road (No 240) and 68 Holywell Road (No 68). It is empty of buildings but the plot contains trees and bushes that can be seen from the surrounding area. These features form part of a significant vegetation belt along Dunstable Road and create an attractive backdrop to No 68.
6. The new access would be clearly seen from Dunstable Road when approaching the site and when directly in front. Also, the house and parking area would be visible through the access gap and from the footpath that runs alongside

Dunstable Road. The proposal would not be easily seen from Holywell Road although the removal of the taller trees would be noticeable.

7. It is suggested that the plants on the site are of a low landscape quality and the Council's Tree and Landscape Officer raises no concerns with the removal of the trees. Nevertheless, the greenery contributes positively to the natural appearance of the site and its surroundings. The proposal would introduce development onto the vacant plot and so would markedly reduce the vegetation cover. As a result, it would diminish the site's contribution to the natural attributes of the area.
8. The proposed house would be built between No 240 and No 68 and so it would be no more prominent than these existing dwellings. Also, the development including the access would be similar in form and appearance to nearby properties and so in these respects it would integrate appropriately into the street scene. However, these factors fail to fully address or override the detriment that would be caused to the natural beauty of the site and its surroundings.
9. For these reasons, the development would not preserve or enhance the landscape and scenic beauty of the AONB and would have a harmful effect on the character and appearance of the AGLV and the surrounding area. In these regards, it would be contrary to LP policy BE8 and the Framework.

Other Matters

10. The proposal would represent limited infilling in a village. As such, it would not be inappropriate development in the Green Belt and so would comply with the Framework's Green Belt policies. This is a neutral factor rather than a benefit to which I attach positive weight.
11. Concerns are raised over the manner in which the Council reached its decision following positive pre-application advice. Also, I note the parish council raise no substantive concerns with the proposal. However, these factors do not address the identified harm that would be caused by the development and so fail to influence my assessment.
12. The proposal would add to the housing stock and would lead to construction employment. Also, occupiers of the house are likely to support local businesses and facilities. However, such benefits attract limited weight as a single new unit is proposed. Overall, the advantages of the scheme do not outweigh the harm that would be caused.

Conclusion

13. For the reasons set out above, the proposal would be contrary to the development plan when read as a whole and there is no justification to determine the appeal other than in accordance with development plan policies. Consequently, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR