



Appeal Decision

Hearing Held on 15 April 2021

Site visit made on 16 April 2021

by Peter Mark Sturgess BSc (Hons), MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: Friday, 14 May 2021

Appeal Ref: APP/P0240/W/20/3262172

Land north of Southill Road, Broom, Biggleswade, Bedfordshire.

- 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 Wheatley Group Developments Limited against the decision of Central Bedfordshire Council.
 - The application Ref CB/20/00461/OUT, dated 29 January 2020, was refused by notice dated 4 May 2020.
 - The development proposed is residential development of up to 90 dwellings with associated open space, children's play area and infrastructure.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application is in outline with all matters reserved apart from access. I have therefore treated the illustrative master plan, CSA/4157/108, which was submitted with the planning application, as indicative only.
3. The emerging Central Bedfordshire Local Plan 2015-2035 has reached the examination stage and consultations are taking place on main modifications. The National Planning Policy Framework (the Framework) considers that weight can be given to emerging plans according to: the stage of preparation of the emerging plan; the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies in the emerging plan to the Framework. Both parties have agreed through the Statement of Common Ground (SoCG) that the plan should only carry limited weight in this appeal, although the evidence base for the Local Plan Examination is a material consideration.
4. I shall have regard to the emerging local plan where it is relevant to a particular matter. However, and with the agreement of the parties as set out in the SoCG and bearing in mind the stage the emerging local plan has reached towards adoption, its policies will only carry limited weight in the determination of this appeal.

Background and Main Issues

5. A signed and dated Planning Obligation by Deed of Agreement under Section 106 of the Town and Country Planning Act 1990 (S106 Agreement) was submitted by the appellant. This covers matters relating to the provision of

affordable housing, financial contributions to local health services, education, library, leisure facilities (including sports pitch), local highway improvements, the management and maintenance of the proposed public open space, provision of a Locally Equipped Area for Play (LEAP) and a mechanism for the delivery of the proposed self-build plots. I shall return to these matters below.

6. The Council confirmed that in the light of agreement around the matters relating to sterilisation of minerals, archaeology and highways and the provisions within the S106 Agreement, it was no longer pursuing its reasons for refusal Nos 2, 3, 6 and 7 in respect of these matters. I have dealt with the appeal on this basis, although having regard to the concerns raised in the representations from interested parties, I go on to deal with a number of these issues under main issues and other matters.
7. Against this background I consider the main issues to be:
 - the location of the proposed development in relation to the village envelope, services, and employment provision within the District,
 - the effect of the proposed development on the character and appearance of the area,
 - the effect of the proposed development on the setting of Broom Hall, a Grade II listed building, and
 - the likely benefits of the proposed development to the local area and community.

Reasons

Location of the development

8. The development lies on the edge of Broom, a small village approximately 3.5 kilometres¹ from the town centre of Biggleswade. Broom itself has a small number of facilities including a pub, farm shop and village hall. Its residents rely to a large extent on facilities in Biggleswade, neighbouring villages, and further afield. It is predominantly a residential village with few local employment opportunities, with the majority of residents commuting out of the village for work.
9. The village has a bus service into Biggleswade, however from the evidence I have seen this appears to be limited to 5 services a day, at two hourly intervals Monday to Friday, 4 services a day on Saturday and none on Sunday. More infrequent services serve destinations further afield. It is possible to cycle from the village into Biggleswade. However, one of the routes involves negotiating a busy roundabout on the A1. In any event it would be difficult to access all the services required by a family by cycling alone. The village is not within convenient walking distance of the services and facilities in Biggleswade.
10. The development plan for the area includes, the Central Bedfordshire Core Strategy and Development Management Policies, adopted in November 2009, (CS) and the Central Bedfordshire (North) Site Allocations, DPD (DPD), adopted in April 2011. The emerging Central Bedfordshire Local Plan 2015-2035 (eLP)

¹ SoCG paragraph 3.3

includes some of the policy approaches of the earlier plans, specifically the definition of settlement envelopes.

11. Policy CS1 of the CS is based on a growth strategy which seeks to direct new housing development to those areas of the District which have good access to services and public transport. Conversely it seeks to restrict development in those settlements which either have few services and facilities and are not well served by public transport. Broom lies in the lowest policy tier, '*a small village*', recognising its small scale, the limited services it provides and its relatively restricted access to public transport.
12. Moreover, Policy CS4 of the CS seeks to direct development to where there is good access to public transport, with the focus on shorter journeys within settlements that are suitable for cycling and walking. It sets out a hierarchy of accessibility, with urban areas where walking and cycling are viable alternatives to the private car, and areas with the best public transport provision at the top.
13. I have already explained that Broom is not a convenient location from which to access services in Biggleswade by means other than the private car. Whilst it has a bus service, this is not of a standard which would be expected within an urban area, and so might not be suitable for regular trips which households might make, such as those for shopping.
14. Policy DM4 of CS defines Settlement Envelopes (SE). The policy explains that the SEs are not a means of defining the extent of the village but define the boundary between settlements and the surrounding countryside. As such the policy is seen as a means of protecting the countryside from unacceptable development. Therefore, whilst the Framework does not go as far as DM4 in seeking to protect the countryside from inappropriate development, it does recognise that the intrinsic character and beauty of the countryside should be acknowledged through planning decisions. Consequently, I consider that DM4, whilst not fully consistent with the Framework, still seeks to achieve similar aims, albeit through more restrictive wording. As a result, I give Policy DM4 moderate weight in this decision.
15. The Framework addresses these issues in a number of paragraphs. Paragraph 78 seeks to promote sustainable development in rural areas by expecting that housing should be located where it will enhance or maintain the vitality of rural communities. It also recognises that housing in one village might help to support services in nearby villages.
16. I have had regard to these paragraphs in this decision. However, given the limited range of services available in Broom residents would have to travel in order to access necessary services. Additionally, there was little evidence presented at the hearing to show that current services in the village are struggling. Consequently, I consider that the appeal proposal would have negligible impact on the vitality of the village.
17. Moreover, and with regard to the support the appeal proposal might give to services in neighbouring villages, given the relationship of Biggleswade to Broom and other villages in the locality, it is likely that once residents are in their car they are as likely to continue into Biggleswade as they are to access services at Upper Caldecote or other villages in the area. Therefore, the contribution of the development to the vitality and viability of services in neighbouring villages is also likely to be small.

18. The appellant has referred me to an appeal decision in Dagnall Road, Dunstable² as an example of where an Inspector considered that the sites' accessibility to services by a short car journey was something that could carry some weight. I agree that in the context of that appeal, which involved the conversion of a stable block to a single dwelling, it might have been appropriate to attach weight to the length of the car journey necessary to access services. However, in the case before me it is likely that with a proposal of up to 90 dwellings a considerable number of, albeit short, car journeys will be generated by the proposal. Consequently, the impact of a considerable number of small journeys generated by this quantum of new dwellings is likely to be much greater than that from a single dwelling. I therefore cannot give this factor the same weight as the Inspector gave it in that appeal.
19. The appellant has referred to a range of planning approvals and appeal decisions in the district where development has been permitted outside the SE of small villages. The Council has also referenced appeal decisions which support the application of the current policies.
20. I have carefully examined these decisions in the light of the discussion that I heard at the hearing. It appears to me that a number of the decisions cited by the appellant were made when the Council could not demonstrate a 5-year supply of deliverable housing sites. Moreover, a number of the decisions also relate to larger settlements with a greater range of facilities than Broom or have more convenient access to the facilities available in Biggleswade.
21. In particular the scale of development which has been permitted alongside the small villages appears to be less than that which is the subject of this appeal. I have had regard to the appellants table which shows Upper Gravenhurst (a small village) having 70 dwellings approved outside its SE. However, it is clear that this was the result of two decisions (1 for 24 dwellings and 1 for 46 dwellings) which appear to be around 3 years apart. So that it cannot be considered directly relevant to this case.
22. Therefore, given the site-specific considerations, the lack of a 5-year housing land supply at times and the particular policies in force at the times of those decisions I do not consider that the examples given to be direct comparators with the case before me.
23. Consequently, I find it impossible to draw any particular principle from these decisions that would have a bearing on the appeal currently before me. Therefore, whilst these appeal decisions are undoubtedly material considerations, they do not deflect me from my primary duty which is to determine this appeal on its own merits.
24. Accordingly, the proposal would have poor accessibility to shops, services, and employment, given its countryside location, in conflict with policies CS1, CS4 and DM4 which seek to encourage development within settlements that have good access to services and public transport.

Character and appearance of the area

25. Broom displays a linear character, with the majority of the development either along or accessed from the High Street. With the exception of Broom Hall,

² APP/P0240/W/20/3247902

almost all of the development in the village which borders the appeal site faces towards its centre or principal streets. There are views of the appeal site from all the surrounding roads, despite these views being broken up by the trees and the hedgerows. There is clear definition between the appeal site and the built area of the village. Despite the trees and hedgerows which separate it from the surrounding open and agricultural land, it is clearly part of the countryside surrounding the village as it shares the common characteristics of being open, flat and in agricultural use.

26. The appeal proposal would alter the character and appearance of the site by introducing an extensive area of built development and turning the balance of the site into managed public open space. It would also change the current low intensity use of the land by introducing residential development and public access to much of the land which is visible from the roads surrounding it.
27. I note that there is existing built development on the western and part of the northern boundaries of the site. However, that development is set well back from the surrounding roads and views of it are not only filtered by the vegetation surrounding the appeal site, but by the gardens and boundary features of the housing themselves. It is therefore not prominent from the roads surrounding the village.
28. I acknowledge that the appeal proposal is in outline and that the plan submitted with the application is indicative only. However, given the scale of the development proposed, it would inevitably bring built development much closer to the surrounding roads than the existing development and would not have the benefit of mature planting within its plots to break up its impact. Consequently, it would have a much greater impact on the rural character of the village.
29. Moreover, whilst I appreciate that the site is screened by vegetation on Southill Road, Gypsy Lane and High Road, these trees and vegetation are permeable and allow views across the site from various points along these roads. This, together with its closer proximity to the surrounding roads, would make it significantly more prominent in the area than housing within the existing village.
30. Aspects of the development such as light spill from the houses, garden lighting and the general activity associated with a development of up to 90 houses would significantly harm the existing rural character. Despite the proposals for increased planting this would have an urbanising effect on the character of the area, to the detriment of the character of the area and the setting of the village.
31. Furthermore, the proposed new access from High Road and its visibility splays, the urban features such as a footpath along High Road and street lighting, would all increase the prominence of the site and harm the rural character of the area. Whilst I accept that it is of a smaller scale, the creation of the proposed pedestrian access and link to the village at the south-western corner of the site, on Southill Road, would have a similar effect in that location, and therefore further harm the rural character of that part of the village.
32. The CS contains policies that seek to protect the character and appearance of the District. In particular policies DM3, DM14, CS14 and CS16 all seek, amongst other things, to ensure that new development is appropriate to its

setting, respects local context and contributes positively to creating a sense of place.

33. The proposed development would introduce a large development into an area which contributes positively to the character of the village by retaining its countryside setting. As a result, and for the reasons set out above the appeal proposal would be in conflict with the policies of the development plan which seek to support developments that respect local context and create a sense of place.

The effect of the development on the setting of Broom Hall

34. The significance of Broom Hall is derived from its status as a small country house of 18th century origin, set in extensive countryside some of which would have had a parkland character. It is no longer occupied as a single house but has been converted to flats. Moreover, its significance historically would have been appreciated from the surrounding roads. To a large extent the views of the Hall set in a countryside location still exist to the south and to a lesser extent to the east. Externally, as a country house it would have historically been surrounded by open countryside, some of which would have had a parkland character comprised of feature trees, grazing and other landscape features.
35. This parkland has to a large extent been lost. Vestiges of the former parkland remain in the form of belts of trees along the surrounding roads, a very small number of feature trees within the appeal site and the haha, which separates the current grounds of the hall from the surrounding agricultural land. Some of the open land which would have originally surrounded the Hall, especially to the west, south west and north has been developed for housing. However, to the south and east the land is still undeveloped and reflects the original setting of the Hall within open land.
36. From the south, the view of the south front is clearly visible across agricultural land through the trees and vegetation on Southill Road. To the east, whilst it is less visible, views of the chimney stacks and slate roof of the original house can be seen from near the junction of Gypsy Lane and the High Road. What is not visible from this direction are the more recent additions to the Hall and the features associated with its use as flats (car parking, tennis court, refuse storage etc.). Therefore, whilst the view of the Hall from the east is not as clear as that from the south, it still forms a presence in the landscape from this direction and it is clearly a country house surrounded by open land.
37. The appeal site is comprised of the agricultural land to the south, east and partly to the north, which makes up part of the former parkland setting of the Hall. As a result, the appeal proposal would affect the setting of the Hall as it would lead to the loss of open land which is significant to the historic development and context of the listed building.
38. The proposal is in outline, and I have explained in my preliminary matters that the illustrative master plan is indicative only. However, whilst that is the situation, much of the appellant's case regarding the effect of the proposal on the setting of the Hall is predicated on development being to the east of the Hall and the land to its south being used as open space. I have had regard to these arguments in this decision, as the broad location of development within the appeal site is capable of being controlled at the reserved matters stage.

This could restrict development to certain areas within the appeal site to limit its impact on the setting of the listed building.

39. In any event the development of up to 90 houses on the appeal site will remove a large proportion of the land which currently surrounds the house further diminishing its countryside setting. Whilst the indicative proposals show the south side of the site kept clear of development, the east side would be taken up with development. That would mean that views of the Hall from the east would be lost altogether or at best the Hall would be viewed across roof tops. Consequently, much of its significance as a country house surrounded by open land would be lost when viewed from this direction.
40. From the south the view of the south front would remain and proposals to manage the tree belt between the agricultural land and Southill Road could open up views from this direction. However, the view from the south is already available from Southill Road across the crops in the arable field, albeit through gaps in the vegetation. The proposal to create a parkland setting for the Hall on the agricultural land and allow public access would alter the character of its setting in this location from agricultural to public open space.
41. Whilst I accept that this public open space could be developed so that it resembles historic parkland, it would still be public open space rather than parkland with all the attendant increase in activity on the land that public access would bring. This would not be a direct re-creation of a 19th century parkland setting for the Hall but would be 21st century public open space with 19th century parkland features installed. In this respect the re-created parkland would not have the character, rural atmosphere nor tranquillity of the 19th century original.
42. Furthermore, the people accessing the public open space would not be able to appreciate the Hall in its current extensive landscape setting but would view it in a very much reduced version with residential development to its east. Moreover, the land would be viewed as public open space associated with a new housing development rather than 19th century parkland. The principal difference being that a 19th century parkland was something that was designed primarily to enhance the setting of the country house rather than to be actively and intensively used by its residents or the residents of adjacent dwellings.
43. Finally, when the current farmland is viewed from the Hall it appears to be a small area of land truncated by the planting belt on Southill Road and does not adequately reflect the extensive countryside setting the Hall once had. The loss of the open land to the east would accentuate the increasing sense of development encroaching on the setting of the hall.
44. Therefore, the proposed development would harm the significance of the Listed Building as a development within its setting. Furthermore, the proposal to introduce public access on to the appeal site at locations in close proximity to its grounds would reduce the tranquillity the Hall currently experiences and further harm its setting. However, in terms of this harm it would be less than substantial in terms of paragraph 196 of the Framework. Nevertheless, less than substantial harm to the setting of the Hall is still harm and as such the Framework requires that I give great weight to the asset's conservation, including its setting.

45. I acknowledge that the appellant has argued that the parkland setting of the Hall has been lost. I accept that this is the case, albeit that some vestiges of parkland remain. However, it is not just the parkland features that contribute to the setting of the Hall. The setting of the Hall in this case is made up of open land and it is the retention of that open land which is significant in terms of its setting.
46. I also acknowledge that there are limited views of the Hall from the east and that the land immediately to the east of the Hall is made up of unattractive features which reflect its current use for flats. However, none of these features are visible from outside the site, but the bulk and massing of the Hall, including some of the features mentioned in the listing description (chimney stacks and slates) are visible from the east through the trees. I therefore regard the views of the Hall from the east as being significant to its setting.
47. I note that there has been relatively modern development which has taken place within what would have been the open areas to the north, west and south west of the Hall. However, the northern development is set well back from the Hall, and consequently does not have a significant effect on its setting. The development to the south west of the Hall has an effect on its setting, although the view of the south front of the Hall from Southill Road is relatively unaffected by this development. I have taken account of these developments and the argument made by the appellant in this decision. However, and given the substantial amount of open land around the Hall that would be lost to development should the appeal be allowed I do not find that the presence of this development weighs heavily in my decision.
48. I am required by paragraph 196 of the Framework, in terms of my finding of less than substantial harm to weigh that harm against the public benefits of the proposal. These benefits were discussed at the hearing, and include: increasing the supply of market housing; addressing a need for self-build plots in the area; increasing the supply of affordable housing; provision of accessible green space; restoration of the former parkland setting of Broom Hall; provision of a play area; provision of interactive speed indicator signs and improving biodiversity.
49. In terms of the housing land supply I accept that it is the Governments' ambition to significantly boost the supply of new homes in the country. As part of this ambition it expects Council's to be able to demonstrate a 5-year supply of deliverable housing sites. Moreover, even where a Council can demonstrate a 5-year supply of deliverable sites this is not seen as a ceiling and more housing can be delivered over and above this target.
50. However, the Council has a 5-year supply of deliverable housing sites and it has a good track record of delivering new housing. It was accepted by the appellant that the so-called 'tilted balance' was not engaged in this appeal. Therefore whilst I give moderate weight to the increase in housing supply the appeal proposal would deliver, it would not outweigh the harm I have identified to the setting of Broom Hall, where I am required to give great weight to the conservation of the heritage asset, including its setting.
51. The supply of self-build plots would be a benefit of the development. However, the eLP seeks to address this issue through its revised policies and the delivery of self-build plots is a small component of the overall housing land supply. Therefore, whilst I give limited weight to this benefit it is not sufficient to

- outweigh the harm the proposal would cause to the setting of the listed building.
52. The provision of affordable housing would be a benefit of the proposal however the Council appears to be meeting its targets with regard to the supply of affordable housing. Therefore, whilst I give this benefit limited weight it is insufficient to outweigh the harm that would be caused to the setting of Broom Hall.
53. The appeal site is currently farmed agricultural land with no public access. The appeal proposal would create public access to land around the proposed development thereby increasing the amount of green space available to the village. Moreover, this would create links to other footpaths and green space in the area. I acknowledge that this would be a public benefit of the proposal. However, Broom is a small village and it is relatively easy to access the footpaths around the village. Furthermore, some of the land around the village which has been restored following quarrying appears to have public access. Therefore, there appears to be no shortage of publicly available green space in the area. I therefore give this public benefit limited weight in this decision which would not outweigh the harm caused to the setting of Broom Hall.
54. Whilst I can see some benefit in the re-creation of the parkland in maintaining the openness around the Hall, I do not consider that the re-creation of parkland features in front of the Hall to be a significant benefit of the appeal proposal as it would be little more than a pastiche of what originally existed. I therefore give this public benefit limited weight in this decision and certainly insufficient weight to outweigh the harm the proposed development would cause to the setting of the Hall.
55. I do see the creation of a LEAP as a public benefit of the proposal as it was acknowledged at the hearing that the village lacked such a facility. However, this might not be the only site where this facility could be located. I therefore afford moderate weight to this public benefit in this decision, but not of sufficient weight by itself to outweigh the harm that would be caused to the setting of the hall.
56. I also note that it is proposed as part of the proposal to include interactive speed indicator signs on roads around the site. There is no suggestion that speeds on the roads around the village are at the present time excessive. Moreover, the introduction of these devices could lead to the rural area becoming more urbanised. As a result, I afford limited weight to this benefit and not in itself sufficient to outweigh the harm caused to the setting of the listed building.
57. Finally, it is argued that the development would provide the opportunity to improve biodiversity in the area. Whilst I can appreciate how features aimed at improving biodiversity could be incorporated in the development, including better management of the woodland along the surrounding roads, there might also be a loss of biodiversity due to the increased noise and disturbance brought about by the houses. I therefore give this argument neutral weight in this decision.
58. As required by S66 of the Planning (Listed Building and Conservation Areas) Act 1990 I have had special regard to the desirability of preserving the setting of Broom Hall, a Grade II listed building, by attaching considerable importance

and weight to that desirability. I have found that the proposed development causes harm to the setting of the listed building as it would reduce the amount of open land around the building which is important to understanding its significance.

59. Moreover, whilst I have had regard to the arguments of the appellant in terms of the benefits of the proposal, I do not find that these amount to clear and convincing justification for the proposed development as I am required to attach great weight to the assets conservation.
60. Policies CS15 and DM13 of the CS seek, amongst other things to protect, conserve and enhance the District's heritage. I find that for the reasons given above the development conflicts with these policies as it would not protect, conserve, or enhance the setting of Broom Hall.

Other Matters

61. A signed and dated s106 agreement has been submitted. The agreement covers the areas of: the provision of affordable housing, a contribution to the provision of local health services, a contribution to local educational facilities, a contribution to local library facilities, a contribution to local leisure facilities, the provision of local highway improvements, the management and maintenance of the public open space proposed to be provided within the scheme, provision of a LEAP, sports pitch contribution and a mechanism for the delivery of the self-build plots proposed to be provided within the development.
62. I am satisfied that the agreement complies with Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the tests set out at paragraph 56 of the Framework. This is because its requirements are necessary to make the development acceptable in planning terms, they are directly related to the development and are fairly and reasonably related in scale and kind to the development.
63. Reference has been made to the loss of the best and most versatile agricultural land if the proposed development were to go ahead. I understand that this is not about the loss of this quality of land per se but about the contribution it makes to the character and appearance of the village. Whilst I understand the point that is being made, this character could be retained through the appeal site containing most categories of agricultural land. I therefore give this specific argument limited weight in this decision.

Planning balance and benefits of the proposal

64. The benefits of the proposal include: increasing the supply of market housing; addressing a need for self-build plots in the area; increasing the supply of affordable housing; provision of accessible green space; restoration of the former parkland setting of Broom Hall; provision of a play area; provision of interactive speed indicator signs and improving biodiversity.
65. In terms of housing supply there was some debate at the hearing about the use of objectively assessed need or the standard methodology to assess the District's housing need. However, it was accepted by all parties that the Council could demonstrate a 5-year supply of deliverable housing sites at the appeal. It was also clear after some debate that all parties accepted that the reliance on the objectively assessed need figure was appropriate in this case. Nevertheless, any proposals to increase the supply of housing should attract weight as there

- is a Government imperative to boost the supply of housing throughout the country.
66. However in this appeal, bearing in mind the existence of a 5-year supply of deliverable housing sites in the District, the Council's track record in delivering housing, and that the policies most important for determining this appeal are up to date, it is the ordinary balance that I apply to this matter and not the so-called tilted balance. I therefore give the contribution the proposed development would make to the supply of houses in the District moderate weight in this decision.
 67. In terms of the benefits of the proposal in relation to the delivery of affordable housing I note that the Council is on target to deliver its requirements in this area. I therefore give this benefit limited weight.
 68. In terms of the provision for self-build plots, this would be a benefit of the proposal. Additionally, there is no policy in the current development plan related to the delivery of self-build plots. However self-build housing is a small component of the housing land supply and the appeal proposal would contribute a small amount of self-build plots. I therefore give this benefit limited weight.
 69. The proposal would give greater access to green space around the village. However, as there appears to be access to other green areas around the village on land that was formerly used for quarrying, I give this benefit limited weight.
 70. The restoration of the former parkland setting of Broom Hall it has been argued is a benefit of the proposal. Whilst public access to land to the south of Broom Hall and the reinstatement of parkland features could result from the development this would not amount to the full reinstatement of parkland around the Hall. I therefore give this limited weight in this decision.
 71. The proposal to include a LEAP as part of the development is a benefit. I heard evidence that this is something that is needed in the village. I therefore give this moderate weight.
 72. I note that the development would provide interactive speed signs on roads around the village. Whilst this could be a benefit in terms of highway safety, the signs themselves could be intrusive in the countryside depending upon their design and location. I therefore give this limited weight.
 73. The appellant has argued that the proposal would improve biodiversity in the area. There could be a biodiversity benefit brought about by features installed within the housing and management of the woodland. This might be offset by the noise and disturbance brought about by the occupants of the proposed up to 90 houses on this land. I therefore give this factor neutral weight in this decision.
 74. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 I am required to determine this appeal in accordance with the development plan unless material considerations indicate otherwise.
 75. I have found the development proposal is in conflict with the development plan policies that relate to the location of development, the character and appearance of the area and those that protect the setting of heritage assets. Therefore I find that the requirement to determine the appeal in accordance

with the development plan and to attach great weight to the need to protect the heritage asset are not outweighed by the other material considerations which have been identified, including the increase in the supply of houses, which would result from the appeal proposal.

Conclusion

76. The appeal is dismissed.

Peter Mark Sturgess

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr Paul Shadarevian	Of Counsel, instructed by Mr Peter Brady
Mr Peter Brady	- Solicitor
Mr John Shephard	- Planning Consultant
Mr Michael Dawson	- Heritage Consultant
Ms Silke Gruner	- Landscape Consultant

FOR THE COUNCIL:

Mr Alexander Greaves	Barrister, instructed by Central Bedfordshire Council
Mr Philip Hughes	- Planning Consultant
Mrs Alison Myers	- Landscape Planner
Ms Maria Viciano	- Conservation Officer
Mr Jonathan Lee	- Opinion Research Services (ORS)

INTERESTED PARTIES:

Mr Les Bolland	- Chairman, Southill Parish Council
Mr Kevin Stoker	- Resident of Broom