



Appeal Decision

Site Visit made on 19 October 2021

by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2021

Appeal Ref: APP/P0240/W/21/3277201

Land between Birches and Moggerhanger Village Hall, Blunham Road, Moggerhanger MK44 3RB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle
 - The appeal is made by Mr Rhys Ellis against the decision of Central Bedfordshire Council.
 - The application Ref CB/2004146/PIP, dated 12 November 2020, was refused by notice dated 22 December 2020.
 - The development proposed is erection of two detached dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the time of the Council's decision the Central Bedfordshire Local Plan has been adopted. The Council have advised that policies HQ1, EE5 and SP7 supersede policies DM3 and DM4 of the Central Bedfordshire Core Strategy and Development Management Policies document which were referred to in the decision letter.
3. The proposal is for permission in principle. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
4. The Planning Practice Guidance states that the scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.

Main Issue

5. In view of the above, the main issue is whether the site is suitable for residential development, having regard to the amount of development, its location and the proposed land use.

Reasons

6. The site is small and not significantly larger or visually wider than that of the adjacent dwelling at Birches, particularly due to the presence of a metal barn at Birches. That dwelling is a modest dormer bungalow which sits comfortably on

its plot. Though the design and scale of the proposed houses are matters for the technical details consent stage, I consider the provision of two detached houses on this plot would appear cramped, particularly in the context of Birches. As such, in terms of the amount of development proposed, the proposal would contrast with its setting and be harmful to the character and appearance of the area.

7. In terms of its location, the site is outside the defined settlement envelope of Moggerhanger. Policy SP7 states that only particular types of development will be permitted outside settlement envelopes so as to maintain the character of the countryside. The development proposed does not comprise any of the particular types that are allowed for outside settlement envelopes. Therefore, the proposal would be contrary to policy SP7.
8. However, the site is positioned tightly between the village hall and Birches and is fenced off from the agricultural land behind. It is within clear sight of the houses on both sides of Blunham Road that are within the settlement envelope. Indeed, the fact that the gap between Birches and No.12 Blunham Road (the nearest house within the settlement envelope) is considerably smaller than the gap between the village hall and the nearest houses to the north in Chalton, leads to the perception of these buildings, and therefore the appeal site set amongst them, as being part of Moggerhanger. The road signage north of the village hall indicating the start of Moggerhanger, and the sign on the village hall itself announcing it as Moggerhanger Village Hall also contribute to this impression.
9. Furthermore, the site contributes little visually to the rural character of the wider area with the trees along its frontage limiting its impact in the street scene. Rather than providing a welcome relief between built form, it appears as a spare parcel of land with no clear purpose.
10. As such, the provision of housing in this location, in principle, would not harm the character and appearance of the countryside. In addition, the use of the land for residential purposes would be in keeping with the use of the adjacent site and so also would not harm the character and appearance of the area.
11. Nonetheless, in terms of the amount of development, the proposal would harm the character and appearance of the area. It hence would conflict with policy EE5 which requires all development to reflect the character of the local landscape in terms of, among other things, the scale of the surrounding settlement form. It would also conflict with policy HQ1 which seeks to ensure development responds positively to their context, including in terms of their density.

Other Matters

12. I note the appellant's local connection with Birches and Moggerhanger generally, and their intention for the houses to be carbon neutral and architecturally outstanding. However, these are not matters that relate to the three issues that I must base my decision on. They therefore carry very little weight.
13. Likewise, though I acknowledge the reference to two other schemes, I have very few details of them, including their location, and hence their bearing on my decision is negligible.

Conclusion

14. Although the location of the development and the use of the land would not be harmful to the character of the area, the amount of development proposed would. As such, the proposal would conflict with the development plan as a whole and there are no other considerations which indicate the decision should be made other than in accordance with the development plan.
15. Therefore, for the reasons given above, and taking account of all other matters, the appeal is dismissed.

Andrew Owen

INSPECTOR