



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: 04 November 2021

Appeal Ref: APP/K0235/W/21/3278303

13 Homefield Road, Chawston, Bedford MK44 3BN

- 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 Mr Kevin O'Dell against the decision of Bedford Borough Council.
 - The application Ref 20/01246/S73A, dated 17 June 2020, was refused by notice dated 15 January 2021.
 - The development is for partially converted agricultural building to dwelling.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Planning permission¹ was granted for the conversion of an agricultural building to a dwelling via the rights, and subject to the conditions, set out in Class Q, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the 'GPDO'). In implementing this permission, the extent of the conversion works became such that the Council considered they went beyond what was allowed for by the consent. It is not for this decision to re-examine that point. Rather, it relates to the provision of the resultant dwelling, which has already been substantially created.
3. Furthermore, the assessment of the appeal against the Council's policies is a fundamental difference from the previous proposal as the principle of that development was established through the GPDO, not the development plan.

Main Issues

4. The main issues are whether this location is suitable for this development having regard to:
 - the Council's spatial strategy;
 - its accessibility to services and facilities by sustainable modes of transport; and
 - its effect on the character and appearance of the area.

Reasons

Spatial strategy

5. The site is located within the open countryside where Policy 7S of the Bedford Borough Local Plan (BBLP) applies. This allows for a limited number of forms of

¹ Ref: 18/02466/CPNQ

development in the countryside so as to protect its intrinsic character. The development would not meet any of the allowable forms. In particular, it cannot be considered as the reuse of a rural building. This is because it would be contradictory to consider that the proposal is a conversion for the purposes of this policy, when the works that have taken place did not constitute conversion under Class Q. The development therefore conflicts with policy 7S and consequently, the provision of a dwelling here would be contrary to the Council's spatial strategy as set out in Policy 3S which seeks to focus development within the existing settlements. The Council's first reason for refusal also refers to policy 5S, but this relates to development in villages, and so does not appear to be relevant.

Accessibility

6. The appellant does not dispute that the appeal site is remote from day-to-day facilities and that future occupiers would be reliant on the private car. The Council clarify that the nearest settlement with services is 2.9km from the site; that the bus service near to the site is limited; and that there are no pavements along the public highway to encourage walking. It is clear that the future occupiers of the site would not have access to local services or facilities by sustainable modes of transport. Due to the limitations of the GPDO, this was not an issue that was considered by the Council when they assessed the previous application under Part Q.
7. Though the appellant suggests electric cars are becoming more prevalent, it would not be appropriate to rely on this in order for the development to be acceptable in this regard. Also, it would not be reasonable to require by planning condition that occupiers of the dwelling must have an electric car.
8. For these reasons, the development would fail to accord with BBLP policy 51S, which aims to reduce greenhouse gas emissions, policy 2S which promotes walking and cycling, and policy 53 which requires development to be located such that it has convenient access to local services by foot, cycle and public transport.

Character and appearance

9. The site is located within a cluster of development on Homefield Road which comprises a handful of detached houses and their extensive plots. The houses are Land Settlement Association properties and each has a large detached barn. This provides the area with a strong rural, open and agricultural character.
10. In terms of its appearance, the finished development would be very similar in height, size and general design to the barn that existed here previously, and would be located in the same position. As such the pattern and scale of built form in the immediate area would not materially change and the building would, in the main, retain its agricultural appearance.
11. The land around the building would be used for car parking and as garden and would inevitably contain domestic paraphernalia. However this would be over a relatively small area compared to the other domestic gardens along Homefield Road. Moreover in front of the site, within the appellant's land, is a large open field and there are agricultural buildings just west of the appeal site. In this

context, the proposal would not visually detract from the rural, open and agricultural character and appearance of the area.

12. Therefore, development would accord with BBLP policies 28S and 29 which require developments to be of a high quality of design, and policy AD44 of the Allocations and Designations Plan which seeks to ensure development maintains the layout and spatial pattern of the former Land Settlement Association Area.

Other Matters

13. It is understood that the appellant is building the development himself. The National Planning Policy Framework advises that provision for self-build houses should be made. As such I give this factor modest weight.
14. The appellant also refers to a development at Top Farm. However, I have only very basic details of the proposals there and cannot attest to their comparability to the development before me.

Conclusion

15. Although, visually, the development would not harm the character and appearance of the area, it would not be suitably located as it conflicts with the Council's spatial strategy and is not accessible by sustainable modes of transport. As such, the proposal fails to accord with the development plan as a whole and the other considerations, including the previous permission, do not indicate the decision should be made other than in accordance with the development plan.
16. Therefore, for the reasons given above, and taking account of all other matters, the appeal is dismissed.

Andrew Owen

INSPECTOR