



Appeal Decision

Site visit made on 18 August 2022

by A Hickey MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 September 2022

Appeal Ref: APP/P0240/W/21/3286636

Henlow End Farm, Middlefield Lane, Henlow SG16 6PJ

- 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 and Mrs Cobb against the decision of Central Bedfordshire Council.
 - The application Ref CB/21/03305/FULL, dated 15 July 2021, was refused by notice dated 30 September 2021.
 - The development proposed is the erection of 2 bed bungalow with detached double garage and associated works using existing access off Middlefield Lane.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - the effect of the proposed development on the living conditions of the occupiers of No 10 Middlefield Lane (No 10) with particular regard to outlook.

Reasons

Character and Appearance

3. There is a strong rural character to the immediate area resulting from small groups of dwellings and buildings with traditional appearances, arranged in close proximity surrounded by large areas of open and undeveloped fields. Surrounding development further out, from the appeal site, is ribbon development along Hitchin Road located behind mature trees and hedges giving the area, including the appeal site, a verdant appearance and character.
4. The appeal site is seen with the new dwellings adjacent which are in a farmstead arrangement within a central courtyard accessed off a single road. This inward facing design, served by a central area give the small cluster of dwellings a cohesive appearance and close inter-relationship.
5. The existing timber boundary fencing does little to enhance the character of the area given its domestic appearance against the more open fields and hedges. However, save for an access gate and a small area of hardstanding, the remainder of the appeal site is grassland and is bounded by mature hedging. It

is apparent the associated connection the appeal site shares with nearby agricultural fields backing onto existing farmstead developments, as it serves as a buffer between the adjacent cluster of properties and the open fields nearby and makes a positive contribution to the rural character and appearance of the area.

6. The proposed dwelling would be located adjacent to dwellings on Middlefield Lane being of similar design and using similar materials. Nevertheless, from close and medium range views it would be evident it is detached from the adjacent development as it would not share a functional relationship. It would appear at odds with the existing pattern of development adjacent which appears as its own self-contained cluster with central shared area and single route in and out of the development.
7. Landscaping would be incorporated to soften the appearance of the site. Nonetheless, the proposal would extend the built form by urbanising the site which serves as a buffer between the built cluster of dwellings and open fields nearby. The proposed dwelling, new access, garage, and garden paraphernalia that would be associated with the proposal would result in a domestic appearance that would severely diminish the undeveloped and open qualities of the site and its surrounding. Although this would be constrained within the site boundaries it would erode the largely undeveloped qualities of the site which is in a prominent position and highly visible from the junction of Hitchin Road and Middlefield Lane.
8. Consequently, the proposed development would have a detrimental effect on the character and appearance of the surrounding area. This would be contrary to Policies HQ1, SP7 and EE5 of the Central Bedfordshire Local Plan (2021) (LP), the Central Bedfordshire Design Guide (2014) (CBDG). These seek, among other matters, to ensure developments reinforce local distinctiveness and are sympathetic to local character. The proposal would also conflict with the provisions of paragraph 130 of the Framework, which seeks to ensure that development is sympathetic to local character.

Living Conditions

9. I saw at my site visit that there is an existing timber fence which separates the appeal site from No 10. The fence cuts across the elevation of the property closest to the appeal site restricting views out from No 10 on this elevation. It is clear, from my observations, that the height and close proximity to No 10 results in the existing fence having an impact on windows on this elevation which serve 2 bedrooms and an en-suite bathroom limiting outlook from the windows to some degree. However, despite being further from the boundary, due to its far greater height above the existing fence, the proposed dwelling would be more imposing. It would be an overly dominant and oppressive feature which would have an overbearing effect upon outlook from the bedroom window significantly more so than the existing relationship No 10 currently shares with the fence. This would result in a restricted and uninviting outlook.
10. As a result, the proposed development would have a harmful effect upon the living conditions of No 10 with regard to outlook. The proposal would therefore be contrary to Policy HQ1 of the LP which seeks, amongst other things, to ensure that new development does not result in unacceptable adverse impacts on nearby existing uses. The proposed development would also be contrary to

the guidance contained within the CBDG and provisions of the Framework which, amongst other matters, seek development to achieve a high standard of amenity for existing users.

Other Matters

11. The scheme would provide some benefits, including social and economic ones, through the provision of one new dwelling and support for the local economy both during construction and after from occupiers. However, given the small scale of the proposal these benefits would only attract a small amount of weight.
12. I have had regard to the evidence in relation to the fence and planning permission for the adjacent site. However, as I am dismissing the appeal for the main reasons above I have not considered this further.
13. Windows have been approved close to the boundary of the appellant's site and there are instances of windows close to existing dwellings on the adjacent development. Nonetheless, I have found the proposed development would have a significantly more detrimental impact on outlook from these rear windows than the existing boundary fence.
14. This proposal relates to a smaller form of development than the dismissed appeal¹ and is detached from the open farmstead arrangement of the adjacent development. In this regard, both the dismissed appeal and adjacent development are materially different to the appeal proposal.
15. While I appreciate the appellants are seeking to downsize to a smaller home. I have not been provided with any evidence to demonstrate that there are no suitably sized properties within the area.
16. Even if I were to accept that flooding and drainage matters are acceptable, this would be a neutral factor, as is the absence of objections. Consequently, these matters would not weigh in favour of the scheme.
17. The screening of the existing fence with landscaping and planting elsewhere in the site would only provide small-scale bio-diversity gains given the scale of the scheme.
18. The site at RAF Henlow is on a considerably larger scale, allocated in the LP and outside of the immediate area to the north of the appeal site. It is therefore materially different to the appeal before me.

Conclusion

19. The proposal conflicts with the development plan when taken as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
20. Therefore, I conclude the appeal should be dismissed.

A Hickey

INSPECTOR

¹ APP/P0240/W/18/3192914