



Appeal Decision

Hearing held on 29 November 2022

Site visit made on 29 November 2022

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 January 2023

Appeal Ref: APP/K0235/W/22/3304228

Land South of Wayside Farm Park, Bedford Road, Ravensden MK44 2RA

- 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 John David Ray and Mr David Ray - Wayside Farm Park against the decision of Bedford Borough Council.
 - The application Ref 20/02933/MAF, dated 7 September 2020, was refused by notice dated 1 February 2022.
 - The development proposed is change of use from agricultural land to caravan site for the stationing of 46 holiday lodges (static caravans) and ancillary development including a reception unit and associated infrastructure and landscaping at Wayside Farm Park.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed development has been screened in accordance with the Environmental Impact Assessment (EIA) Regulations 2017. It has been concluded that the development would not be of a scale and nature likely to result in a significant environmental impact and EIA is therefore not required.
3. The drawings before me include 'Illustrative Site Layout Plan' (Drawing no 9768-0008-13). From the evidence before me, this drawing was before the Council when it made its decision. Furthermore, this illustrative layout is substantively the same as the drawing referenced on the Council's decision notice save for some additional landscape features towards the rear of the site. These features were specifically referenced in the Council's officer report. The Council confirmed at the hearing that it had no objection to me taking this drawing into consideration. I am satisfied that no party would be prejudiced by me taking this drawing into account. Given the proposal is for caravans and not buildings, I have done so on the basis that the layout is provided for illustrative purposes.
4. At the hearing, I was advised that the examiner's report relating to the emerging Ravensden Neighbourhood Plan (NP) has confirmed that the proposed modifications are acceptable. A local referendum is anticipated in early 2023. I was provided with a copy of Policy RNP5 (Development Design and Sustainability Principles) of the emerging NP. Given the advanced stage of preparation, I attach substantial weight to this policy in my considerations.
5. The Council's decision notice refers to the proposal not demonstrating how highway standards would be satisfactorily achieved. It was confirmed at the

hearing that a safe access would be achievable and that the Council was not contesting the proposal on highway safety grounds. Rather it is the consequential effects of providing a safe access on the character and appearance of the area that is the Council's principal concern in this regard. I have taken this into account in defining the main issues.

Main Issues

6. The main issues are:

- (i) whether the appeal site would be a suitable location for the development having regard to the development plan and national policy; and
- (ii) the effect of the proposal, including but not limited to any works required to provide safe access, on the character and appearance of the area.

Reasons

Location

- 7. Policy AD1 (Sustainable Development Policy) of the Bedford Borough Allocations and Designations Local Plan (2013) (ADLP) and the National Planning Policy Framework (the Framework) set out a presumption in favour of sustainable development. Policy 3S of the Bedford Borough Local Plan (2020) (LP) sets out the Council's spatial strategy to deliver sustainable development and growth that enhances the vitality of the Borough's urban and rural communities. The policy identifies amongst other things Bedford town centre as the preferred location for retail, leisure, visitor economy and office development.
- 8. The majority of the appeal site comprises of fields which sit beyond the furthest extents of the existing built form of Ravensden Crossroads which is defined as a 'Small Settlement' in the LP. At the hearing, the main parties agreed that the appeal site is situated in the countryside for the purposes of decision making and I concur with this view.
- 9. Policy 7S (Development in the countryside) of the Bedford Borough Local Plan (LP) confirms that development outside defined Settlement Policy Areas and the built form of Small Settlements will be permitted if it is appropriate in the countryside in accordance with the policies listed at parts i. – v. of this policy. As none of the specified policies relate to tourism development, I concur with the main parties that parts i. – v. are not applicable to the appeal proposal.
- 10. The second part of Policy 7S confirms that in addition, exceptionally development proposals will be supported on sites that are well-related to a defined Settlement Policy Area, Small Settlements or the built form of other settlements where it can be demonstrated that all the criteria at vi. – x. of the policy are met. In addition, all development in the countryside must meet the criteria at parts xi – xiii of this policy.
- 11. Firstly, what constitutes being 'well-related' to a settlement is not specifically defined in the LP. My attention has been drawn to previous appeal decisions in the Borough which considered this matter. Having regard to the site-specific factors in this case, I note that the supporting text to Policy 6 (Development in

Small Settlements) of the LP, confirms that Small Settlements may have more than one area of definite built form. In this regard, Wayside Farm Park (WFP) which neighbours the appeal site, is a residential caravan site of approximately 50 residential units. WFP sits opposite and aligns closely with the end of the ribbon development extending from Ravensden Crossroads. WFP also sits inside the existing 'Ravensden' gateway feature and 30mph speed limit. The convenience store and service centre at Ravensden Crossroads are a short walk from WFP and are connected by a footpath up to its entrance.

12. As a result of the above factors, WFP has a strong physical, visual and functional relationship with the more consolidated built form of Ravensden Crossroads to the extent that it can reasonably be understood as forming part of the settlement. Therefore, the position of the appeal site immediately adjacent to WFP means that it is 'well-related' to this Small Settlement.
13. The appellant contends that the criteria at Policy 7S vi. – x. only apply to 'the built form of other settlements'. However, Settlement Policy Areas and Small Settlements are also referred to in the sentence leading into these criteria. Moreover, the appellant acknowledged in the hearing that the first part of the lead-in sentence which begins 'In addition, exceptionally development proposals will be supported on sites that are well-related to...' applies in all the scenarios including Small Settlements. To my mind, this means that there may be exceptional cases where development will be supported in the countryside. On a straightforward reading of the lead-in sentence, it would be illogical to then exclude sites that are well-related to Small Settlements from an assessment against the exceptional requirements at criteria vi – x.
14. Furthermore, Policies 5S (Development in villages with a Settlement Policy Area) and 6S (Development in Small Settlements) set out the requirements for development in such settlements. The supporting text at Paragraphs 6.19 and 6.20 of the LP include that some modest development may be appropriate in Small Settlements and that the nature of small settlements means that modest development proposals that elsewhere might be supported, would potentially have unacceptable impacts.
15. If development in Small Settlements should be modest, this further persuades me that the second part of Policy 7S is only supportive of development outside the built form of a Small Settlement in exceptional cases. Otherwise, the implication is that developments that are in the countryside are no less acceptable than those in Small Settlements which goes against the sustainable aims of a settlement hierarchy and the plan-led system endorsed by the Framework.
16. Policy 76 of the LP specifically relates to 'Improvement and provision of new visitor accommodation'. The first part of the policy refers to 'new visitor-related buildings'. I accept that the proposal is for a change of use for the stationing of caravans and that no buildings are proposed. Whether or not the drafting of the LP intended to exclude holiday lodges from the requirements of a policy relating to new visitor accommodation is unclear. Even if I was to find the first part of the policy is applicable to this case, given my conclusions on the site's location, Policy 76 ii. would apply and this leads me back to the principles set out in Policy 7S.
17. Therefore, I find that in either of the above scenarios, an assessment of the proposal is required against Policy 7S vi – xiii.

18. Policy 7S vi. requires development proposals to respond to an identified community need. This is broadly consistent with Paragraph 85 of the Framework which states that decisions to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.
19. Community need is not defined in the LP or the Framework. At the hearing, the Council conceded only limited weight could be applied to its Planning Policy Briefing Note dated May 2020 (PPBN). Given the PPBN was not consulted upon and is not an adopted document, I agree. Even so, the suggestion in the PPBN that there may for example be a local study that identifies need for a village hall, small workshop or another use that would support the vitality of the rural community seems a reasonable way to gauge whether there is identifiable community need for a proposal. In this regard, the appellant has drawn my attention to the Bedford Visitor Accommodation Study Review (2015) (VASR).
20. The VASR identifies key gaps in the borough's visitor accommodation supply in several areas, including in respect of holiday lodges and prioritises amongst other things small and medium scale holiday lodge complexes, particularly where they are associated with activities such as fishing, riding and golf. What is meant by small and medium is not quantified in the study but I accept that the proposal could exploit a gap in the market insofar as it would grow the holiday lodge offer in the area.
21. While there may be a gap or an absence of holiday lodges in the borough, this does not necessarily equate to a need. Indeed, the supporting text for Policy 76 at Paragraph 11.38 of the LP states that there is presently no unmet need for visitor accommodation in the Borough and there is no more recent evidence before me to suggest otherwise.
22. In oral evidence my attention was drawn to the list of visitor attractions in the wider area in the appellant's Planning, Design and Sustainability Statement. From this, I have seen that the nearest meaningful attractions are in Bedford town centre approximately 3.0 miles from the appeal site. Therefore, any need is not necessarily reliant on the proposed countryside location or its position 'well-related' to Ravensden Crossroads.
23. Furthermore, notwithstanding the appellant's suggestion that there might be opportunities for fishing within the site and cycle hire, the proposals do not include any firm plans for such activities. The site is located close to some Public Rights of Way (PROW), although I am not aware that these PROW are well known outside the area such that they would prove to be a specific draw for tourists. Therefore, there is limited information to suggest that there are countryside pursuits in the area which might help to justify a need and make this rural location more essential.
24. The appellant suggested to me that 45 – 50 holiday lodges would be the minimum to make such a site viable and I have no contrary evidence to dispute this. However, what is not clear from what I have seen or heard is that there is specific demand for holiday lodge development of this scale close to this small settlement with very few facilities and with no meaningful draw for visitors.
25. I accept that convenient access to the type of day-to-day facilities required by the settled community is not a necessity for tourists. Therefore, even if bus services close to the site are limited or there is no cycle network linking the site

to larger settlements, this would not on its own make a site unattractive for holiday purposes having regard to Paragraph 85 of the Framework. Even so, the above factors persuade me that overall it has not been satisfactorily demonstrated that the development would respond to an identified community need. Therefore, the proposal conflicts with Policy 7S vi. and Paragraph 85 of the Framework.

26. The Parish Council is opposed to the development and I have not seen any evidence to suggest that the proposal has the identifiable community support required by criteria vii. Consequently, the proposal conflicts with this part of Policy 7S. However, I agree with the appellant that criteria vii. sets a higher bar than the Framework which does not require that proposals have community support. This diminishes the weight that I afford to the conflict with Policy 7S vii.
27. Criteria viii requires that the scale of the proposal is appropriate to serve local needs or to support local facilities. The evidence provided indicates that unemployment rates for the Borough are slightly higher than the England average. The appellant suggests that the proposal would create an estimated 4 full-time equivalent jobs on site and this has not been disputed. The estimated economic benefits of the proposal would include a likely overall spend ranging from approximately £412k to £837k with a gross value added boost of approximately £186k to £378k in any given year. Without evidence to the contrary, the scale of the development could therefore provide very positive support for the local economy in terms of provision of jobs and expenditure in local facilities including at the convenience store at Ravensden Crossroads. In these respects, the proposal would satisfactorily address the requirement at Policy 7S viii.
28. Policy 7S x. is not a material consideration in this instance as this only relates to instances where a community building is being provided. The Council has not provided any evidence to suggest that the proposal would result in a significant adverse effect on biodiversity or any designated site. From the evidence before me, I find no reason to reach a different conclusion. Therefore, the proposal would not conflict with Policy 7S xiii.
29. The identified conflict with Policy 7S vi. indicates that the proposal would not be a suitable location for the development. I will now assess the proposal against the remaining criteria at ix. xi. and xii. of Policy 7S under the second main issue before reaching my overall conclusion.

Character and appearance

30. Policies 3S and 7S of the LP and the Framework require amongst other things that developments recognise and safeguard the intrinsic character and beauty of the countryside. Paragraph 84 of the Framework also specifically confirms that planning decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside. Policy 30 (The Impact of development – design impacts) requires that attention is given to the landscape qualities of the area and states that planning permission will not be granted where proposals fail to improve the character and quality of an area.
31. The Council did not refuse planning permission for landscape character reasons. The Council's reason for refusal is more broadly defined and relates to the effect on the general character and appearance of the area. However, the

relationship of the proposal with the landscape has been addressed in the appellant's appeal submissions and was discussed at the hearing. Therefore, what I have seen and heard in respect of the landscape, including the conclusions of the appellant's LVIA, has been pertinent to my considerations as to what are the important and distinctive characteristics of the area and how the development would be perceived from a character and appearance perspective.

32. The appeal site comprises of three pasture fields separated by internal hedgerows with some trees within hedge lines. Land within the site is generally flat but is set down from the level of Bedford Road (B660). The front boundary is also lined by hedgerows and there is a grass verge next to the highway. Such features are common along the road frontage as the B660 extends away from the settlement at Ravensden Crossroads. Part of the site is occupied by a maintenance area associated with WFP, although from surrounding vantage points the site retains an overriding pastoral character and appearance consistent with the prevailing rural characteristics of the area.
33. The built form focussed around Ravensden Crossroads is low and generally even in density and includes ribbon development extending from the crossroads. The appeal site and other land surrounding the settlement is dominated by arable farmland bound by hedgerows. These aspects of the site and its surroundings are consistent with some of the key characteristics of the Renhold Clay Farmland Landscape identified in the Bedford Borough Landscape Character Assessment (2014, updated 2020) (LCA) which are reflective of this countryside location.
34. The residential caravan site at WFP is separated from the more consolidated footprint of the settlement by the B660 and an intervening field. I acknowledge it is a long-established caravan site and that the relative ground levels, roadside vegetation and the low-rise scale of the caravans reduce its prominence in views along the B606. Even so, it's standalone position, the density of the caravan layout and the extent of its footprint away from the road means WFP is not consistent with the pattern of other development at Ravensden Crossroads which is more reflective of the key characteristics of this rural location.
35. Caravans are not defined as buildings and the main parties agreed at the hearing that their scale is limited by the Caravan Act. Even so, the stationing of up to 46 holiday lodges on the site would be likely to have a high degree of permanence from a visual perspective. There would also be associated development including access roads, parking areas, bin storage facilities, fencing and areas of decking. Together with the caravans, this would undoubtedly change the pastoral character of the site to one of a more developed nature.
36. At the hearing the appellant accepted that the internal access drives would need to be fixed. To accommodate the maximum number of caravans proposed, I consider it likely that caravans would need to be laid out in a similar way to that shown on the illustrative drawing provided. The proposal would therefore be likely to result in a deeper incursion of caravans and associated infrastructure into the countryside than is the case at WFP.
37. The immediate surroundings of the appeal site include footpath Ravensden 30 (FP30). On my site visit I saw that FP30 offers elevated views of the site. From

there, the development would be appreciated cumulatively alongside WFP and the considerable combined area and densities of caravan development would significantly intrude upon the pastoral qualities of the countryside.

38. The appellant's own Landscape and Visual Impact Assessment (JSL2983 – 2 December 2020) (LVIA) identifies amongst other things moderate adverse landscape and visual effects when appreciated from the elevated vantage point on FP30. Due to the development's deep footprint, it is likely that from the higher levels on FP30 the development would be visible over hedgerows and between gaps in trees even once planting is fully established. Consequently, I find that there would be unacceptable harm to the character and appearance of the countryside in the longer term in this view.
39. Any planted tree belt between the site and WFP would be likely to take several years to reach maturity such that it would provide an effective screen. Therefore, during the early years following implementation, the erosion of rural character would also be likely to be very evident to neighbouring residents at WFP, particularly those with boundaries adjoining the appeal site.
40. In addition, in order to provide safe access to the site, it was confirmed at the hearing that substantial sections of the roadside boundary hedgerow would need to be removed to facilitate the provision of suitable visibility splays and an extension to the public footway. I also heard that any replacement planting would need to be set further back than the existing hedge and behind a fence. The Ravensden gateway feature would also require relocation further south away from the settlement. The access point, including its bell mouth and verges to the initial section within the site would open up views of the development from the roadside. Therefore, there would be a notable change to the rural characteristics of this section of road to a more engineered arrangement along the frontage of the site.
41. The above considerations indicate that there would be an unacceptable erosion of the area's rural attributes when experienced from the site's immediate surroundings. While this harm would be localised, it would be very noticeable to those familiar with the area particularly when passing the site entrance on the B660 or when approaching the site at elevated levels on FP30.
42. Viewpoints 1, 5 and 7 within the appellant's LVIA demonstrate that the extents of the existing caravans stationed at WFP are visible from locations further away from the appeal site. At the hearing the Parish Council raised concern that the growth rates for the envisaged landscape scheme were overly optimistic. Even if I were to accept the appellant's oral evidence that the landscape scheme would reach its full potential by 10 years, therein lies the possibility that in the early years following implementation, the development including its deeper footprint would also be discernible from these locations. This has the potential to further detract from the character and appearance of the countryside.
43. I accept that in more distant views of the site, the low-rise nature of the holiday lodges, the natural colour of facing materials that could be secured by condition and the opportunities for a substantial soft landscaping scheme to be incorporated would be likely to have a greater influence as to how the development would be perceived. In these views, these aspects of the proposal would also be likely to reduce perception of the white elevations of the caravans at WFP. However, this does not overcome the harm that would result

to the character and appearance of the site and its more immediate surroundings.

44. In terms of my findings, the proposal would not contribute positively to the rural character of Ravensden Crossroads, would fail to recognise the intrinsic character and beauty of the countryside and would adversely affect the use and enjoyment of the countryside's environs, particularly for users of FP30. This conflict with criteria ix. and xi. and xii. of Policy 7S of the LP further indicates that the location of the development would be unacceptable.
45. I conclude that the proposal would result in significant harm to the character and appearance of the area. In that regard, it would conflict with the design, context and character requirements of Policies 7S (Development in the countryside), 28S (Place making), 29 (Design quality and principles), 30 (The impact of development – design impacts) of the LP and Paragraph 84 of the Framework. For the same reasons the proposal would also conflict with the good design and sustainability principles of Policy RNP5 of the NP.
46. As set out in the preliminary matters, there is no dispute between the parties that safe access could be achieved. Therefore, I have not identified any conflict with Policy 31 (The impact of development – access impacts) of the LP. In any case this does not override the conflict with the other policies of the development plan identified above.

Other Matters

47. Mowsbury Hillfort Scheduled Ancient Monument (SAM) would historically have commanded long distance views over a predominantly rural landscape. The SAM currently has tree cover on it which means that outward views from the monument into the surrounding landscape are difficult to achieve. However, I agree with the point made by Historic England that the tree cover should not be seen as a permanent feature of the monument. Nevertheless, the intervening distance together with the low-lying nature of the development, the use of visually recessive external materials and the planting scheme that could be secured on the site would all help to minimise the impact on this vista from within the immediate vicinity of this heritage asset.
48. As a result of the above factors, I agree with the main parties that the proposal would result in less than substantial harm to the setting of the SAM. However, having regard to the requirements of Policy 41S (Historic environment and heritage assets) of the LP and the Framework, the potential economic benefits associated with the proposal outlined under the first main issue would constitute a significant public benefit sufficient to outweigh the less than substantial harm identified in this particular instance.
49. From the evidence before me, there is the potential that the site may be impacted upon by the East West Rail project in the future as one of the route options being considered runs through a small corner of the site. However, at this time a decision on the precise route of this project has not been confirmed. In the event that the route did have an impact upon the site in the future, this would be a matter between landowners. While there is the potential that such circumstances could result in future requirements to reduce the site capacity or to alter the layout, given the harm already identified, this does not alter my conclusions under the main issues.

50. The appellant contends that the Council did not employ a landscape professional to review the scheme. However, it is not unusual for a determining authority to assess a proposal based on a review of the formal submissions of an applicant against its own observations.
51. The evidence before me predicts that the proposal would result in a Biodiversity Net Gain on the site of 114% and this has not been disputed by the Council. Even so, in the wider context and noting that the primary objective of the proposal is to provide a caravan site, the biodiversity benefits would not be of a significant magnitude. I nevertheless attach some positive weight to the potential net gains insofar as they would improve biodiversity in and around the development in accordance with the Framework.

Planning Balance and Conclusion

52. In accordance with the requirements of s38(6) of the Planning and Compulsory Purchase Act (2004), the appeal must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the Framework specifies that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted unless material considerations in a particular case indicate that the plan should not be followed.
53. The proposal has the potential to make a significant contribution to the local economy in terms of job creation and the spend of holiday makers in the local area. The proposal would also result in biodiversity net gains on the site. Both these matters attract positive weight in favour of the development.
54. I have also found that a requirement for identifiable community support is inconsistent with the Framework. Accordingly, I attach limited weight to the conflict with Policy 7S vii.
55. However, the sustainable objectives of the development plan relating to the location of development and to the protection of the character and appearance of the countryside are broadly consistent with the Framework. This includes the remaining criteria under Policy 7S to which I attach full weight.
56. It has not been satisfactorily demonstrated that there is an identified community need for the proposal in this rural location. The proposal would also result in significant harm to the character and appearance of the countryside. For both these reasons, the appeal site would not be a suitable location for the development. Accordingly, the proposal would not amount to sustainable development and would conflict with the development plan when taken as a whole. These matters are of overriding concern and the other considerations put forward including the policies of the Framework do not indicate that a decision should be made other than in accordance with the development plan.
57. Therefore, for the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

M Russell

INSPECTOR

APPEARANCES

FOR THE APPELLANTS:

Nick Laister BA (Hons) DipTP MRTPI MCIHT Managing Director - Laister Planning

Nayan Gandhi Director - Laister Planning Limited

Jane Betts CMLI Landscape Consultant - RPS

David Archibold MCIHT MTPS Transport Consultant - RPS

FOR THE LOCAL PLANNING AUTHORITY:

Penny Jewitt Senior Planning Officer

Alister Wren MRTPI Team Leader Appeals and Enforcement

Kim Healey Highways Team Leader

INTERESTED PARTIES:

Steve Arnold MRTPI Local resident on behalf of Ravensden Parish Council

Alison Myers Local resident and member of Ravensden Parish Council

DOCUMENTS SUBMITTED AT THE HEARING

Copy of Policy RNP5 (Development Design and Sustainability Principles) of the emerging Ravensden Neighbourhood Plan.