



Appeal Decision

Hearing held on 17 November 2022

Site visit made on 16 November 2022

by Mr JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 JANUARY 2023

Appeal Ref: APP/P0240/W/22/3301218

Rosebury Farm, Bellows Mill Lane, Eaton Bray LU6 1QZ

- 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 Bidwell Gospel Hall Trust against the decision of Central Bedfordshire Council.
 - The application Ref CB/21/02675/FULL, dated 5 June 2021, was refused by notice dated 15 December 2021.
 - The development proposed is a new Gospel Hall (Use Class F.1f) with associated car parking, lighting, landscaping as replacement for existing pig farm business, vacant barns and buildings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are
 - a) whether this would be inappropriate development in the Green Belt;
 - b) the effect of the development on the openness of the Green Belt;
 - c) the impact on the character and appearance of the countryside and the purposes of including land in the Green Belt;
 - d) whether it would cause harm to the significance of nearby listed buildings by reason of its effect on their settings;
 - e) whether it would be in a sustainable location;
 - f) its impact on highway safety, and,
 - g) if any harm would be caused in relation to any of the above, whether planning permission should be granted having regard to the various balancing exercises.

Reasons

Inappropriate development

3. Policy SP4 in the *Central Bedfordshire Local Plan* (the Local Plan) states that development proposals in the Green Belt will be assessed in accordance with Government guidance. In relation to this, the *National Planning Policy Framework* (the Framework) says inappropriate development should not be

approved except in very special circumstances. Moreover, the construction of new buildings in the Green Belt should be regarded as inappropriate, unless they are for one of a number of stated exceptions. As none of those exceptions apply to this proposal, I conclude what is before me would be inappropriate development in the Green Belt.

Openness

4. The Framework says that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristics of Green Belts being their openness and permanence.
5. On the appeal site now are numerous vacant buildings associated with its last use as an intensive pig farm. Most of these are in a poor condition and many are not particularly large. As the proposal intends only a single building, there would be a significant reduction in the number of buildings on the site. The appellant contended that the total footprint of what is proposed would not equate to even 50% of the cumulative footprint of the buildings there now, while the volume would also be appreciably less. Furthermore, the built form would be in one corner as a result of the proposal, instead of it being spread over the site as at present. Finally, what is before me would not be as tall as the existing tallest building, a feed hopper. With these figures the appellant therefore contended there would not be harm to openness, as such measures show built form would be reduced.
6. However, as well as a spatial dimension, openness also has a visual one. To my mind the current buildings are generally low, with many being a single storey high, and their variations in form and height relieve their overall visual impact. They are also muted, due to their external materials, and some, although creating volume, are nonetheless open on 2 sides allowing views through. Although the way they are spread across the site increases the apparent extent of the overall area they cover, I consider the limited gaps in between break up their cumulative impact to some degree. Furthermore, their arrangement means an awareness of the floor area of some of the buildings contained within the grouping is difficult to perceive from outside of the site. As a result, I consider that the existing redundant farm complex does not have an unduly great impact on the sense of openness in the area.
7. In contrast, what is proposed would be a large single building, much greater in size and bulk than any on the site now. Whilst it may be lower than the feed hopper, that is more or less a tower with a short ridge line, and so its overall impact on the openness of the Green Belt is limited. The Gospel Hall though would have a long, uniform ridge with relatively high eaves and wide gables. It would therefore be far more dominant and have a greater presence than the cumulative effect of the numerous buildings currently on the site.
8. Consequently, whilst it may be appreciably smaller in footprint and volume than the existing buildings now present, I nonetheless consider it would have a far greater effect on the openness of the Green Belt.
9. Moreover, although the car park would be empty or little-used for much of the time, there would be occasions each week when it contained in the region of 150 cars. This too I consider would cause a harm to openness. While there may well be more hard-surfacing on the site at present, visually that is broken up and concealed between the buildings. Indeed, even if the pig farm

resumed, although vehicles could well be larger, given the site's arrangement it is unlikely their number or scale would have a comparable effect on the openness of the Green Belt.

10. The appellant placed weight on the consequences of the site remaining in agricultural use if the appeal were to be dismissed. It was contended that in such a scenario, at the very least the buildings would need to be refurbished with new, potentially brighter cladding that would emphasise their effect on openness. In reality though and given changes to agricultural practice, it said a far more likely outcome would be the clearance of the site and the erection of new farm buildings there. These would quite probably be taller than what is now present, would have a greater footprint, and would be likely to attract a regular flow of larger vehicles. Consequently, it was contended their effect on openness could be greater than what is before me.
11. Clearly the approach to assessing the planning merits of such developments would be different to this scheme, as the erection of agricultural buildings in the Green Belt is not inappropriate. As such, they would not be considered against the Green Belt's openness. However, putting that aside, there is no specific evidence to show the site would in fact be either refurbished or redeveloped for agriculture, or, if one or other occurred, to demonstrate the impact of such works. Although I accept that in planning terms the land would retain an agricultural use, there could be many reasons such as viability, its location, its access, or its limited associated farm land that discouraged its redevelopment in this way. Mindful that no scheme is before me, I am unable to find, with any degree of confidence, that if I dismissed the appeal the continuation and development of the site's agricultural use would be reasonably likely to have a greater effect on openness than what is now proposed.
12. Accordingly, I conclude that the development would harm the openness of the Green Belt.

Character and appearance

13. The Framework says the Green Belt serves 5 purposes, one of which is to safeguard the countryside from encroachment. Furthermore, it also highlights the need to recognise the intrinsic character and beauty of the countryside, and this is reflected in Local Plan Policies EE5 and SP7.
14. The site is outside of any defined settlement boundary for either Eaton Bray or Edlesborough. Neither of these villages is far away, and both form part of the wider landscape in which this development would sit. However, there is to my mind a clear separation between them and the site as a result of the intervening fields and trees. Moreover, they have a notably different character, as the villages contain a relatively dense pattern of housing with associated services and ancillary areas of open space, while the appeal site is in an agrarian, rural context. As such, in planning terms and when seen on the ground, the site is perceived as being outside those settlements, within the countryside. My attention was drawn to the manner in which these 2 villages, along with Totternhoe, substantially encircled the area of countryside in which the appeal site sits, more or less separating it from the wider countryside beyond. Whilst this may be so to some extent, the area containing the appeal site is perceived as sizeable when within it and when also viewed from the escarpments to the south and east. Therefore, any containment these villages

bring does not prevent the enclosed landscape from still maintaining the character and appearance of countryside.

15. Although the existing buildings are generally in a poor condition and are spread over a relatively large area, they are clearly agricultural in their nature and form. Moreover, their muted external treatments mean they are not striking elements in the landscape, while being generally low they do not dominate the surroundings, but from the north and east especially, allow views of the higher land beyond. As such, they are an accepted part of the rural context and do not detract unduly from the intrinsic character or beauty of the countryside, or harm the landscape and scenic beauty of the Area of Outstanding Natural Beauty (AONB) to the south.
16. As already discussed, what is proposed would be smaller in footprint, volume and site coverage than what is now present. However, although not containing an upper storey, the Gospel Hall would still be a relatively tall building with high eaves and a wide gable, and would have a greater size and bulk than any individual structure on site at the moment, whilst also being taller than any building other than the feed hopper. Furthermore, the appellant said its design reflected agricultural vernacular and displayed elements of an agricultural building, but I see little in the details submitted to support such assertions. Rather, in my opinion it would have an appearance, form and scale that was more industrial or commercial in character, and this would be further emphasised by the extensive parking provision. Therefore, I consider it would constitute an urban encroachment into this area of countryside, and would fail to preserve its character and appearance.
17. Mounding is proposed but it was agreed at the Hearing that that could be deleted. While the site would be landscaped in a manner that could be established through a condition, this would not conceal the Gospel Hall, but rather would serve to soften its impact. However, given the size of the building, the effect of this would not be sufficient to mitigate the harm identified sufficiently. Furthermore, on the evidence before me I am not satisfied that it would be sufficiently robust or substantial to enhance the landscape context. Therefore, this does not allay my concerns.
18. Concern was also expressed about the effect of external lighting on the dark rural landscape in general and the AONB in particular. However, it only need be on for the limited times the Gospel Hall was in use when it was dark, and conditions could control its nature and its hours of usage. Therefore, although it may be apparent for a while each week, I consider this would not prove harmful or would fail to preserve the landscape and scenic beauty of the surroundings. It was contended as well that if the site were to be redeveloped for agriculture the external lighting could be more intrusive and less controlled than what is now proposed. However, I have no details of such redevelopment so can afford little weight to this contention.
19. The appellant noted that places of worship are already part of this landscape, drawing particular attention to the churches at Edlesborough and Totternhoe. These are on the edges of their settlements and their towers are visible over a wider area. They are historic buildings though, and, irrespective of the faith community they now serve, their contribution to the landscape rests to a great extent in their role in relation to the heritage of the area in general, and Edlesborough and Totternhoe in particular. Other places of worship are within

the settlements, but their contribution to the rural landscape is minimal as they are substantially concealed from view when outside of the villages. As such, while places of worship may be part of the character and appearance of the area, they do not lead me to different findings in relation to the impact of this development on the countryside.

20. Accordingly, having had regard to the submitted *Landscape and Visual Impact Assessment*, I nonetheless conclude the proposal would detract to an unacceptable degree from the character and appearance of this area of countryside, conflicting in this regard with Local Plan Policies EE5 and SP7. It would also fail to safeguard the countryside from encroachment and so would conflict with one of the purposes of including land in the Green Belt.

Listed buildings

21. Bellows Mill Lane, which runs to the south of the site and provides its access, terminates just beyond at Bellows Mill, a Grade II listed mill building. It is a water mill that dates from the 17th Century, though has been altered and extended over time. Its special architectural and historic interest lie in the way it still seems to demonstrate its origins as a water mill, due to some extent to its remaining form and detailing, but also due to its location by a watercourse. Its significance is therefore partly historic and partly architectural as it continues to reflect this use.
22. The relationship of this mill to the watercourse is, to my mind, the strongest way the setting contributes to the listed building's significance, as that was the principal driving factor in it being sited here. However, its rural location also adds to this significance to some degree, as it emphasises its agricultural origins and links. I accept it is not totally isolated, with other buildings apparent within the landscape around but, in my opinion, it still maintains a certain detachment.
23. The appeal site forms part of its wider setting, lying as it does beyond the mill's curtilage and set back from the lane when travelling to or from the mill. Although the existing buildings on the site are apparent from the road and are relatively extensive, they are generally low, they are of muted colours, and they are agricultural in nature. As such, while they are a built presence, any adverse impact they might have on the setting is limited.
24. The proposal would replace these with an open car park at the southern end, and the Gospel Hall at the north. The car park would return a sense of openness to the part of the site closest to the lane and most readily perceived in the context of the mill. However, the Gospel Hall would not be totally concealed from there, and I nonetheless consider there would be an awareness of the more urban character of the site. In my opinion this would undermine, to a limited extent, the contribution that the rural setting of the mill makes to its significance.
25. As such, I share the view of the appellant's Heritage consultant, expressed in his statement and confirmed at the Hearing, that there would be harm to the significance of this listed building, albeit less than substantial and at the lower end of that range.
26. In coming to this view I have taken into account the possibility of the appeal site being redeveloped for agricultural purposes. However, for the reasons

already given concerning the absence of details, this does not lead me to different findings. I have also been aware that the field to the west of the mill, in the neighbouring authority, has been allocated for housing, but I do not know the form this would take. However, development there would have a different impact on the mill's setting as it would not form part of the mill's approach. Furthermore, even if it did affect the setting of the mill, that to my mind is no reason to harm its setting from the east.

27. In its appeal submissions the Council contended that the setting of Doolittle Mill would also be harmed by the scheme. This is a Grade II* listed building located some distance to the east of the site. As with Bellows Mill, its special architectural and historic interest lie in the way its remaining form and detailing, and also its location, reflect and demonstrate its origins as a mill. Unlike Bellows Mill though, this one was powered by wind as well as water. With regard to its setting, its position next to a watercourse adds to its significance, while its rural location again emphasises its links to agriculture.
28. In my opinion, even though the intervening land is relatively flat, the appeal site is sufficiently far away to mean that it would not cause harm to the setting of this second listed building or how it was experienced. This would apply even in the hours of darkness, when external lighting was being used in line with any planning condition controlling its nature and operation.
29. Accordingly, whilst I conclude the development would not cause harm to the significance of Doolittle Mill, I find it would cause harm, albeit less than substantial, to the significance of Bellows Mill by reason of its impact on its setting.

The sustainability of the location

30. The site is outside the villages of Eaton Bray and Edlesborough, with access being along lanes that have neither pavements nor lighting, or along footpaths (whether public rights of way or the permissive route proposed in the submissions) that would be unmade and unlit. There may well be occasions when members living in these villages choose to walk or cycle to the site along these routes. However, taking into account the distances involved, the nature of these connecting routes, the perceived or actual safety issues that could arise, the times of day that meetings are to be held, the fact that there could be members with mobility issues, and an appreciation that those travelling will be doing so to attend a religious meeting, I am not satisfied that this would be a regular or significant occurrence. Rather, even when coming from those villages there will be a general reliance on motorised transport to access the site.
31. In contrast, had the development somehow been located within one of these villages, it would have been closer to dwellings. Furthermore, the pavements and street lighting would have increased the attractiveness of walking and cycling, even in inclement weather or when dark. Therefore, in such a location, there would have been less reliance on private motorised transport.
32. With regard to public transport links, these are poor, especially at the times in the mornings, evenings and weekends when meetings would be reasonably expected. It is therefore unlikely they would be favoured over private motorised transport by members who had that choice. The nearest bus stops are in the 2 villages, and so any bus users would have to walk (or maybe cycle)

- to and from the site using the lanes and footpaths. Those members who have no option but to come by public transport may have to accept this. Again though, for any who have the possibility of alternative means of travel, those final links would be an additional deterrent for the reasons given above and would further discourage the use of public transport.
33. Therefore, I conclude it is unlikely that the development would promote the use of sustainable modes of travel.
34. Balanced against that though, I recognise it is not expected that the bulk of the congregation drawn to the Gospel Hall will come, primarily, from the immediate surroundings in the way of, for example, a faith community based on a parish structure or similar. Rather, it is to serve members drawn from a wider geographical area. Therefore, whether built here or anywhere else, a notable proportion of its members will have to travel a significant distance to attend. Moreover, I accept that as a general rule public transport in urban areas is better but, no matter where the Gospel Hall is located, it is likely to be of limited value due to the timings of the meetings. These factors together mean that reliance on busses, possibly for complex journeys and at times when the services the bus companies provide is poorer, would not be attractive or even possibly realistic. As such, a reliance on private motorised transport is to be expected no matter where the Gospel Hall is placed. Despite this though, the development will maintain a relatively high proportion of shared trips, as families come to meetings, and a travel plan is also proposed.
35. I recognise that as a use within Use Class F.1f it could be used by any worship community. Given its location though and the presence of churches already in adjacent villages, if the property was ever used by another, it remains likely they would also draw members from a wide area at times when public transport was limited. I recognise too that the appellant's existing premises in Houghton Regis could be taken over by a different faith community, so meaning the movements to and from the appeal site would be, in some respects, additional to the current situation rather than instead of it. However, the appellant has made clear it intends that site to be redeveloped in line with its allocation for housing and the new residential schemes adjacent, and I have no grounds to consider this would not be so.
36. The appellant has submitted persuasive evidence to show that, over the course of a year, the distance travelled by members to and from the Gospel Hall would be appreciably less to this location than to the Houghton Regis premises, despite that being in a settlement. This is partly because a significant number live in Edlesborough and Eaton Bray. I accept that membership may change over time, as new members join and others, for whatever reason, no longer come. Existing members may also continue to attend but move elsewhere. I recognise too that it has not been shown there are no other locations where, cumulatively, members would travel even less distance to attend. However, the scale of the reduced travel that would result from siting the Gospel Hall here, is a matter to which I attach significant weight.
37. Overall, this location is unlikely to secure a modal shift or promote access by sustainable modes of transport. Therefore, in this strict regard it would be contrary to Policy SP7 in the Local Plan, which seeks this of new development. However, the character and nature of the appellant's use means such a modal shift is unlikely, no matter where the Gospel Hall was located within the area it

is intended to serve. Given this, and mindful of the evidence showing it would reduce the members' cumulative need to travel when compared to the appellant's existing site, I conclude that the location of the proposal would be acceptable with regard to sustainability issues, thereby according with Local Plan Policy T1, which seeks to reduce the need to travel. Furthermore, this factor would justify a decision otherwise than in accordance with Local Plan Policy SP7, insofar as Policy SP7 concerns this issue.

Highway safety

38. Although traffic flows associated with the Gospel Hall would be minimal for much of the week, there would be times before and after meetings and acts of worship when as many as 180 cars would be entering or leaving the site. This flow has the potential to have a far greater impact on highway safety than the traffic associated with farming activity here, even if that latter use would be likely to attract larger, longer and/or slower vehicles. The flows arising because of the proposal would be predominantly one-way (either mainly into the site or mainly away from it) and would be short-lived. There is little vehicular activity otherwise on Bellows Mill Lane, and it was agreed that it could be widened if suitable conditions were imposed. Therefore, I consider Bellows Mill Lane could safely accommodate the anticipated traffic flows.
39. At the point where it is joined by Bellows Mill Lane, Harling Road is subject to a 60mph speed limit. It is a relatively typical 2-way road through the countryside, and, with a flow generally in the region of 2500-3000 vehicles per day, I consider it is not heavily trafficked. Given this level of traffic and the nature and scale of flows associated with the scheme, there is no reason to find the development would have a severe impact on this road or the wider road network.
40. Speed surveys on Harling Road show the 85th percentile at this point to be slightly over 40mph in one direction and slightly below in the other. These are significantly less than the national speed limit. However, the Bellows Mill Lane turning is in a complex of bends on Harling Road for which there is advanced warning, and the speed survey findings straddle the speed of 40mph that is advised through these bends.
41. From the north, I consider traffic waiting to turn into Bellows Mill Lane could be visible for an appreciable distance, and so there would not be a risk of a rear shunt. Moreover, to my mind visibility southwards would be adequate to allow right-turning drivers to turn safely across northbound traffic.
42. When emerging from Bellows Mill Lane, currently there is ample visibility to the north, due to the grass verge, the deep drainage ditch and the lack of a field boundary. If there was room between the top of the ditch and the start of the highway verge to erect a fence or similar, then this could reduce sight splays. However, even assuming such works were possible, I see no reason why they would be undertaken, as the ditch acts as an adequate field boundary already, and little benefit would be gained by erecting or planting a further one on the ditch's eastern side.
43. The Council also expressed a concern that if the ditch became overgrown then there could again be an intrusion into sight splays. It is a deep wide ditch though that presumably serves some drainage function, and appears to be

adequately maintained at present. Again, I therefore consider such an eventuality to be unlikely.

44. In these circumstances I have no reason to find that visibility to or from the north would be unsatisfactory now, or would become so in the future.
45. Turning to visibility to and from the south, the Council contended visibility splays should be in line with *Design Manual for Roads and Bridges* (DMRB) rather than *Manual for Streets 2* (MfS2). It said this approach was justified by local policy stating DMRB would be applied for roads where speeds exceeded 30mph.
46. The Council went on to say that although Harling Road was not a trunk road, it generated the same driver behaviour and traffic should not need to stop. I disagree. I am not aware of it having any particular strategic value. Moreover, to the south of the Bellows Mill Lane junction, northbound drivers on Harling Road are likely to be proceeding with a certain caution due to the restricted forward visibility resulting from the bends (advertised with suitable warning signs and advisory speeds) and boundary hedging, as well as the presence of existing junctions to lanes and fields, where sight splays for turning drivers are limited. I therefore consider that when driving along the road motorists are going to be varying their speeds as they account for potential and actual hazards, and I see no reason why they would not expect to stop if, say, a large piece of agricultural machinery was manoeuvring at a junction or gateway.
47. MfS2 says it should be used as the starting point for assessments involving non-trunk roads, and if DMRB is to be applied it should have regard to local context. There is also an acceptance it can be applied to both urban and rural locations up to but not including trunk roads, and indeed throughout there are repeated references to its application to the rural road network. Furthermore, it adds that

the Y distance should be based on the recommended [stopping sight distance] values. However, ... unless there is local evidence to the contrary, a reduction in visibility below recommended levels will not necessarily lead to a significant problem.

48. Given the speeds involved and the character of Harling Road, it has not been shown why the application of DMRB is suitable in this instance or how its application has had regard to the local context. Therefore, while DMRB is contended to give little flexibility in the application of its stopping sight distances, I see no reason why those distances should be applied here. I accept that the parameters in MfS2 are recommended where speeds are below 40mph and, in this instance, the recorded speed when coming into the bends from one direction is slightly above. However, it does not follow that DMRB standards should be automatically imposed above that speed. In any event, it has not been demonstrated why, if a greater Y distance is recommended, a reduction in visibility would lead to a problem. Finally, I am aware that with the widening of Bellows Mill Lane and with the predominant flow along that road at the busiest times being strongly one-directional, there is no basis to consider northbound traffic wanting to turn into the lane would have to queue on the Harling Road carriageway.
49. In the light of the above, and having regard to the context, I have no reason to consider the guidance in MfS2 is not applicable. The sight splays that can be

delivered to the south would be sufficient to allow drivers to leave Bellows Mill Lane safely, while the forward visibility for northbound motorists would be adequate to avoid shunting into traffic waiting to turn left into the lane, in the unlikely scenario that such traffic finds itself waiting on Harling Road.

50. Accordingly I conclude the proposal would not have an unacceptable impact on highway safety. It therefore would not conflict with the Framework or Policy T2 in the Local Plan, which seek to avoid development that detrimentally affects highway safety.

Balancing exercises

51. Concerning the effect of the scheme on the Grade II listed Bellows Mill, the Framework states that any harm to the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification. It adds that if less than substantial harm is caused to the significance of any asset, that harm should be weighed against the public benefits in what I shall call the heritage balance. Local Plan Policy HE3 is broadly consistent with the Framework in relation to this issue, in that it seeks to safeguard heritage assets, and states

'where development proposals will lead to harm to designated ... heritage assets they will be assessed against the relevant criteria in the Framework, taking into account the scale of harm and the impact on the significance of the heritage asset'.

52. Turning to the Green Belt, in the Framework it says that substantial weight should be given to harm to the Green Belt, and inappropriate development should not be approved except in very special circumstances. These circumstances will not exist unless the development's harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (the Green Belt balance).
53. Finally, a third balance is found in section 38(6) of the *Planning and Compulsory Purchase Act 2004*, which says development should be in accordance with the development plan unless material considerations indicate otherwise (the planning balance).
54. The appellant has cited a number of benefits to be weighed in favour in considering these various balances. Of those, I have not shared its view that the scheme would benefit the openness of the Green Belt or the character and appearance of the countryside. Moreover, in line with the submissions of its heritage consultant, I have found some harm, rather than benefit, to the significance of Bellows Mill. These factors therefore do not weigh in favour of the proposal.
55. Of the remaining, the support for both a reduction in travel miles and the delivery of community facilities are found in the Framework. In relation to the latter, although this is to serve the specific congregation of the Gospel Hall, it is not uncommon for a community facility to be used by a selective group, whether it be a faith group, a sports club or similar. I am mindful though that the Framework needs to be read as a whole, and I see nothing that means the weight afforded to each of these benefits should be anything more than moderate. Biodiversity enhancements are proposed, but on the evidence before me the weight I can attribute to those in the balance is limited. Finally,

it was said that the scheme would allow the appellant's existing site in Houghton Regis to be developed for housing in line with its allocation. Mindful though that the lifetime of the Local Plan still covers a period into the future, this is not a factor to which I attach significant weight.

56. In weighing the above benefits, I have had due regard to the Public Sector Equality Duty and the 3 aims found in section 149 of the *Equalities Act 2010*. I acknowledge the appellant's need for a building in connection with their religion or belief. I have no reason to question that their existing premises are too small, or that the appellant has been looking for a new site for many years without success. I also fully accept that the size and layout of the building is specifically to serve the needs of this faith community when undertaking religious services and teaching. Finally, I recognise that a dismissal of this appeal will mean the appellant's faith group will have to resume its search for new premises, though will still be able to make use of its existing (albeit too small) Gospel Hall.
57. In relation to the heritage balance, I conclude that, when taken together, the benefits given would outweigh the extent of the less than substantial harm that would be caused to the significance of the listed building by reason of the development's impact on its setting. As such, in this regard the development would not conflict with Policy HE3 in the Local Plan or the Framework.
58. With regard to the Green Belt balance, I am aware of the inappropriateness of the development, the harm to openness and the harm to the purposes of including land in the Green Belt, and note that substantial weight should be attached to these harms. I also note the adverse effects on the character and appearance of the area. To my mind, even if the due regard I give to the Public Sector Equality Duty is taken with the other benefits of the scheme, they do not '*clearly*' outweigh the weight that I should afford to the harm to the Green Belt and any other harm resulting from the proposal, so as to amount to very special circumstances.
59. In such an instance, as I conclude the harm to the Green Belt and other harm is not clearly outweighed by other considerations so as to amount to very special circumstances, I also conclude the scheme is contrary to the Framework and conflicts with Local Plan Policy SP4.
60. Finally, in undertaking the planning balance I have found a development plan conflict with Local Plan Policies SP4, SP7 and EE5. Given my reasoning above, I am aware of no reason to determine the case otherwise than in accordance with the development plan when taken as a whole.

Conclusion

61. Accordingly, I conclude the appeal should be dismissed.

JP Sargent

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Guy Bentham-Hill	Heritage Consultant
Matthew Green	Planning Consultant
Jeremy Hurlstone	Highways Consultant
Andrew Purdom	Congregation member

FOR THE LOCAL PLANNING AUTHORITY:

Jon Prosser	Conservation & Design Officer with the Council
Jethro Punter	Team Leader, Highways Development Management with the Council
Lauren Rance	Senior Planning Officer with the Council
Julia Scott	Landscape Planner with the Council
Ed Telepneff	Principal Lawyer with Planning & Highways working for the Council
Peter Vosper	Principal Planning Officer with the Council

INTERESTED PARTIES:

Rachael Hodge	Local resident
Mr J Newton	Congregation member
Sarah Thorne	Land owner

DOCUMENTS SUBMITTED AT OR AFTER THE HEARING

FROM THE APPELLANT:

- APP1) Extract from the *Edlesborough Parish Neighbourhood Plan 2013-2033*
- APP2) Drawings PL08A, PL09A, PL10C, PL11A, PL12A, PL13A, PL14A, PL15A, Location Plan, TC/L9829/21/100A, TC/L9829/21/101A, HDS/21/04/01 & *Lighting Project: Horizontal Illuminance Levels: Eaton Bray*
- APP3) Email from Jeremy Newton to Andrew Purdom concerning the drainage ditch (dated 23 June 2022)
- APP4) Email to the Planning Inspectorate concerning suggested conditions in lieu of legal agreements (dated 25 November 2022)
- APP5) Updated highway location plan attached to email to the Planning Inspectorate (dated 25 November 2022)
- APP6) Email to the Planning Inspectorate responding to the local planning authority's email of 28 November 2022 (dated 6 December 2022)
- APP7) Email to the Planning Inspectorate containing a signed Unilateral Undertaking (dated 23 December 2022)

FROM THE LOCAL PLANNING AUTHORITY:

- LPA1) Policy EB8 and Inset 3 from the *Eaton Bray Neighbourhood Plan*
- LPA2) Policy HQ3 and Inset 21 Eaton Bray from the *Central Bedfordshire Local Plan*
- LPA3) Email to the Planning Inspectorate responding to the appellant's email of 25 November 2022 (dated 28 November 2022)
- LPA4) Email to the Planning Inspectorate confirming when the development will be advertised as affecting the setting of a listed building (dated 29 November 2022)
- LPA5) Email to the Planning Inspectorate confirming no consultation responses in relation to its advertising (dated 13 January 2023)