



Appeal Decision

Site visit made on 25 January 2023

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 February 2023

Appeal Ref: APP/P0240/W/22/3295634

Land at Manor Farm, Potton Road, Everton, Bedfordshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant [outline] planning permission.
 - The appeal is made by Mr Jonathan Pym against the decision of Central Bedfordshire Council.
 - The application Ref CB/20/04517/FULL, dated 7 December 2020, was refused by notice dated 17 December 2021.
 - The development proposed is 19 dwellings, including affordable housing, with associated infrastructure and new vehicular access off Potton Road.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues relevant to this appeal are:
 - the effect of the development upon the setting of the nearby listed farmhouse building; and
 - whether the appeal site represents a sustainable location for the proposed development, with particular reference to the requirements of national and local planning policies.

Reasons

Effect on setting of the Listed Building

3. The appeal site is near to the Grade II Listed Building of the adjacent farmhouse. For the purposes of this appeal, the significance of this listed building is, in part, derived from the traditional form of architecture, combined with the presence of more open areas nearby that are reflective of the site's rural character and the original use of the appeal site and the wider area. Therefore, the setting of the Listed Building contributes to its significance.
4. The proposed development would result in an overall increase in the level of built form. This would therefore reduce the amount of open space that surrounds the Grade II Listed Building of the farmhouse. In addition, the proposed development would result in a significant increase in the overall level of built form in the surrounding area.
5. These buildings would have a significant combined mass that would conflict with the more open character of the surrounding area. In addition, the design of the buildings would be of a more domestic nature. This would contrast with

the existing, more existing functional and traditional style of architecture that is a feature of the surrounding area.

6. Although some of the dwellings nearest to the Listed Building would be smaller, and of a single storey, the development would still result in an overall increase in the level of built form and insertion of a discordant, more domestic style of architecture. Therefore, the scale of buildings would not overcome my previous concerns.
7. Furthermore, the appeal site would be subdivided through the creation of individual domestic curtilages to serve the proposed dwellings. This would erode the current more open character that is a feature of the appeal site and the surrounding area. Therefore, the setting of the Listed Building would be eroded by the development.
8. In addition, the pattern of boundary treatments between the appeal site allows for clear views between the appeal site and the farmhouse. This would be eroded by reasons of the insertion of additional boundary treatments on the periphery of the appeal site.
9. The proposed development features a less developed area, which would allow for views of parts of the farmhouse. However, such views would be framed by the proposed dwellings, in addition to parked vehicles and items of domestic paraphernalia. Therefore, such views would therefore have a more domestic character that would conflict with the predominantly rural and agricultural character that is a feature of the appeal site in its current form.
10. Although the proposed development features areas of more open space, these are relatively small. In consequence, they would not appropriately mitigate the adverse effects arising from the increase in built form and the erosion of the more rural and functional character that is a feature of the appeal site.
11. The proposed development would require the removal of a section of boundary wall that faces the highway. This wall serves as a traditional architectural feature that provides a notable boundary to the appeal site and runs for a significant length. The proposed development would therefore result in this boundary treatment being disrupted.
12. Although the section that would be removed is relatively small, the effect of this would be to erode the setting of the Listed Building given that the presence of multiple points of access to the appeal site are not currently present. Therefore, the character of the Listed Building as having a notable point of entry to the site, bounded by a lengthy wall would be eroded. This is also a concern given the general prominence of this section of the appeal site. Therefore, the setting of the Listed Building would be eroded.
13. I understand that the appeal site has been allocated for future housing provision. However, the policy to which I have been directed is clear that any future residential accommodation should not have an adverse effect on the setting of the Listed Building, or that such effects should be mitigated. Therefore, for the preceding reasons, I do not believe that objective has been met.
14. The proposed development has been designed to minimise the effects on the wider area. However, this does not overcome my previous findings.

15. I therefore conclude that the proposed development would have an adverse effect on the setting of the Listed Building. The development, in this regard, would conflict with the requirements of Policies HA1; HQ1; and HE3 of the Central Bedfordshire Local Plan (2021). Amongst other matters, these seek to ensure that new developments preserve, sustain and enhance the significance of heritage assets; reinforce local distinctiveness; and show how negative impacts will be avoided or mitigated.

Whether a sustainable location

16. The appeal site consists of an area to the side of the existing farm building and a farmhouse. In the wider area, there are several dwellings that comprise a settlement. These dwellings are constructed to differing designs. The settlement contains several different facilities including a nearby farm shop.
17. On account of this pattern of development, the occupiers of the proposal would have the opportunity to use some of the commercial and community facilities that exist in the surrounding area. This would provide a reduction in the number of journeys that would need to be made to other settlements.
18. In addition, the surrounding area features some public transport links. Although such public transport links might not serve as an adequate alternative for all journeys, the presence of such transport routes would mean that the occupiers of the proposed development would have an alternative for private cars for travel on some journeys.
19. The proposed development would result in the reduction of storage space. Whilst this might cause some operational challenges for the operator of the farm, the proposed development would result in an increase in the number of people resident in the locality. This would potentially increase the likely clientele for the farm shop, which would support its viability. In addition, it has been demonstrated that large vehicles could turn within the farmyard.
20. The proposed development features a sufficient level of off street car parking. However, some of these spaces are located away from each of the associated dwellings. However, the degree of difference is relatively small. This means that although residents would need to walk a short distance between their dwelling and the car parking space, the actual amount of time spent doing this would be relatively small. Therefore, it would not generate significant levels of inconvenience to the future occupiers of the proposed development.
21. In addition, although these car parking spaces are separate from the curtilage of the respective dwellings, they would not form part of the public environment. Therefore, it has not been demonstrated that, if required, these car parking spaces could not be fitted with electric car charging points. In result, there is no reason to believe that, if needed, such charging points could not be installed. In addition, I have no reason to believe that a significant number of the proposed dwellings could not be fitted with solar panels.
22. The appeal site is also very close to a bus stop and a recreation ground. Therefore, the occupiers of the proposed development would have relatively convenient access to these facilities. In addition, the proposed development could include replacement boiler facilities for the farmhouse.
23. Therefore, in this form the occupiers of the proposed development would have suitable access to services and facilities, public transport, car parking and

electric car charging points. In addition, the proposed development would not harm the operation of the nearby farm shop.

24. I therefore conclude that the appeal site represents a sustainable location for the proposed development. The development, in this regard, would comply with the requirements of Local Plan Policies CC1; HA1; and HQ1. Amongst other matters, these seek to allocate the site for housing; are well connected to surrounding areas, providing safe, attractive and convenient routes that encourage travel by sustainable modes; and increase its resilience to impacts of climate change.

Other Matters

25. The development is unlikely to have an adverse effect upon matters including the highway system and the living conditions of the occupiers of neighbouring properties. Although matters of note, these are only some of all the issues that must be considered. They therefore do not outweigh my findings in respect of the first main issue.
26. I note that the planning application was determined by the Council's Planning Committee. Although the application had been recommended for approval, I have been directed towards adopted development plan policies in support of the Council's decision. Therefore, this is not a matter that allows me to disregard my previous concerns.

Planning Balance

27. The harm that would occur to the setting of the listed building would not be severe and therefore it would be 'less than substantial' within the meaning of the National Planning Policy Framework (the Framework). Paragraph 202 of the Framework requires such harm to be weighed against the public benefits of the proposal.
28. In this instance, the proposed development would provide an increase in the local housing supply. However, the evidence before me is not indicative that there is a notable shortfall in the locality. Nonetheless, I am appreciative that the proposed development includes some affordable housing. The Framework requires that developments provide a mixture of house types. Therefore, this is a benefit arising from the development.
29. However, given the scale of the development, the additional housing would be relatively small. In consequence, the weight that can be attributed to this matter is limited.
30. The proposed development would generate some economic benefits arising from the construction process and the support of facilities in the surrounding area. However, such benefits by reason of the scale of the development, and the number of occupants, are unlikely to be significant. In addition, some of these benefits are likely to be time limited in duration.
31. Furthermore, there is no evidence before me that indicates that local businesses and facilities are declining due to a lack of residents. These economic effects are unlikely to be particularly large due to the nature of the development. Therefore, they can only be attributed a limited amount of weight.

32. The proposed development would deliver some improvements to biodiversity. However, the percentage increase is relatively small and therefore can only be given a small amount of weight.
33. Although I have found that the appeal site is an appropriate location, this is only one of all the matters that must be considered when assessing a development. In addition, the development would provide a link with the existing recreation ground. However, given that there is already a link to this area, the benefits are small. Therefore, these matters can only be attributed a limited amount of weight.
34. The developer has entered into a Section 106 Legal Agreement. Although this provides some items, the intention for the agreement is to mitigate the effects of the development. In addition, any increased Council Tax receipts would be utilised to finance the services required for future residents. In result, these are matters that are neutral in my considerations.
35. Therefore, when giving significant importance and weight to the special attention I must pay to the desirability of preserving or enhancing the listed buildings, I find that the harm that would arise from the proposal would not be outweighed by its public benefits. Accordingly, there would be a conflict with Paragraph 200 of the Framework as harm to designated heritage assets would not have a clear and convincing justification.

Conclusion

36. Although I have found that the proposed development would be in a sustainable location, this is outweighed by the adverse effect upon the setting of the nearby listed farmhouse building. The proposal would therefore conflict with the development plan taken as a whole. There are no material considerations, including the Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR