



Appeal Decision

Site visit made on 6 December 2022

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 February 2023

Appeal Ref: APP/K0235/W/22/3302772

Land south of Rose Cottage, Hatch Lane, Keysoe MK44 2JQ

- 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 Gray against the decision of Bedford Borough Council.
 - The application Ref 22/00244/FUL, dated 2 February 2022, was refused by notice dated 31 March 2022.
 - The development proposed is erection of 4 bedroom residential dwelling and garage and ancillary works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - a) Whether the location of the appeal site is suitable for housing having regard to the spatial strategy for the borough.
 - b) The effect of the proposal on the character and appearance of the area.
 - c) Whether the location of the appeal site is accessible to services and facilities by sustainable transport modes to meet the day to day needs of the residents of the proposed dwelling.

Reasons

Suitability of the location

3. Policy 3S of the adopted 2020 Bedford Borough Local Plan 2030 ('LP') sets out the spatial strategy for the borough and stipulates that development should be in sustainable locations and meet identified needs. Reference is also made to safeguarding the intrinsic character and beauty of the countryside. Policy 4S of the LP specifies the amount and distribution of housing development, which is focussed on established settlements.
4. The appeal site lies outside of any Settlement Policy Area ('SPA') as defined in the LP and is, therefore, within the open countryside in planning policy terms.
5. The appeal site is positioned amongst a small collection of houses, and buildings loosely focussed on the junction of Hatch Lane with Keysoe Row West. Based on the information before me this area is known as 'Hatch End.' This area is located about 1km west of the Keysoe crossroads.

6. The Keysoe crossroads form the core of the Small Settlement of Keysoe Row. This relates to the area where Keysoe Row West and Keysoe Row East meet the B660 Kimbolton Road, centred around the school and church.
7. Small Settlements are defined in the LP, as settlements that do not have a defined SPA but nevertheless do have a definite built form. Small Settlements comprise a distinct group of buildings and their immediate surroundings that include 30 or more dwellings. Moreover, the definition sets out that the built form of a Small Settlement excludes, individual buildings and groups of dispersed or intermittent buildings that are clearly detached from the continuous built form of the settlement.
8. The LP acknowledges that Small Settlements may have more than one area of definite built form and may change during the life of the plan as a result of development.
9. I have noted the appellants' submissions, including the maps intended to show the built form associated with residential and non-residential uses in the area.
10. Whilst there is definite built form which extends off the Keysoe crossroads, there is considerable separation between the Keysoe crossroads and Hatch End. In particular, on the ground, when travelling west from the Keysoe crossroads, towards the appeal site, built development is more intermittent and interspersed by open land with gaps of undeveloped road frontage on both the eastern and western sides. Therefore, the small collection of houses and buildings, including the appeal site at 'Hatch End' are clearly detached and do not form part of the continuous built form of the Small Settlement of Keysoe Row.
11. Whilst not determinative, my observations are supported by some of the Council's evidence, including the Statement for the Examination regarding Matter 4 - Spatial Strategy and Location of New Development and the Site Allocation Selection Process (May 2019).
12. In locations outside SPA boundaries, Policy 7S of the LP, limits new development to that appropriate to the countryside, which includes re-use of rural buildings, replacement dwellings and development that accords with 'made' neighbourhood development plans. On the information before me, the proposal does not fall within any of these categories.
13. Policy 7S of the LP goes on to state that, exceptionally, development proposals will be supported on sites that are well related to a defined SPA, Small Settlement or the built form of other settlements provided a list of criteria are all met: these require that the proposal responds to an identified community need; there is identifiable community support; its scale is appropriate to serve local needs or to support local facilities; and the development contributes positively to the character of the settlement and the scheme is appropriate to the structure, form, character and size of the settlement.
14. Irrespective of whether or not the appeal site is well related to a Small Settlement or the built form of another settlement, there is no identified community need or identifiable community support for the proposal before me. Accordingly, the proposal does not meet the exception criteria and principles set out under LP Policy 7S.
15. For the above reasons, the proposed residential development would be located in the open countryside and does not accord with the spatial strategy contained

within Policies 3S and 4S nor the development in rural areas strategy under Policy 7S of the LP. Because Policy 6 of the LP specifically relates to development within Small Settlements, based on my findings this Policy is not applicable to the proposal.

Character and appearance

16. The appeal site comprises undeveloped land laid to grass along Hatch Lane. Hatch Lane is a narrow distinctly rural lane which runs across undeveloped open countryside to the south and connects with the end of Keysoe Row West to the north.
17. Along the front, the appeal site is, in part, enclosed by a hedge and adjoins an existing residential plot "Rose Cottage" to the north and a group of agricultural buildings to the south.
18. Whilst the agricultural buildings have an extant permission to be demolished and replaced, I do not have the full details of this development. In any event at the time of my visit the agricultural buildings were still in place. To the west of the site are open fields. Together, these support the rural character of the area.
19. The appeal site, because of its undeveloped and verdant nature, reinforces the sporadic pattern of development and rural character of Hatch Lane, whilst also relating to and facilitating views of the wider countryside beyond the appeal site.
20. The extent of the proposed development, which includes a detached garage, would occupy most of the site's width. This would result in the loss of the gap between two developments to create a row of dwellings in proximity to each other. This arrangement would have an erosive effect on the existing pattern of development in an area of countryside, thereby eroding the open, rural character of this area contrary to policies 7S, 28S, 29 and 30 of the LP. Amongst other things, these Policies require high quality design that contributes to local distinctiveness and respects the local character and context.

Accessibility

21. At Keysoe Row there are some facilities, including a primary school, village hall, a Church and a mobile library makes a stop in this area. Even so, these limited facilities are unlikely to meet the day-to-day needs of the future occupiers.
22. The nearest Key Service Centre with a range of facilities and services is Sharnbrook, located approximately 8km from the site.
23. Moreover, whilst Manual for Streets suggests that journeys under 2km provide the best opportunity for people to walk instead of using a car, this depends on the walking environment. There are no footpaths leading from the appeal site to the Small Settlement of Keysoe Row and beyond to Sharnbrook, making walking, particularly for the elderly, disabled or those with young children, an unattractive and unsafe prospect. Furthermore, the roads surrounding the appeal site are unlit and as such, the occupants of the dwelling are unlikely to walk or cycle along these roads after dark or in poor weather conditions.
24. Whilst there is a bus stop about 100m from the site, the bus service is very limited. There are only three buses per day (Monday to Saturday) and no services in the late afternoon/evening or on Sundays and bank holidays. Reference has

been made to a local cycle route. However, the full details of this are not before me.

25. Therefore, it is likely that the residents of the dwelling would be highly dependent on a private car to access shops, services and employment either within Sharnbrook or Bedford or further afield. Consequently, the site's distance from those communities with services and facilities is such that any direct benefit to their vitality resulting from the proposal would be limited.
26. Taking into account the above factors and the advice in the National Planning Policy Framework ('the Framework') on sustainable transport solutions varying between urban and rural areas, the location of the site for housing offers limited suitable sustainable travel choices. As such, whilst the appeal site is not isolated because of its proximity to other buildings, it is not in an easily accessible location with respect to local services and facilities, in particular those which would service the day to day needs of future residents.
27. Notwithstanding that the design of the proposed dwelling incorporates sustainable and renewable technologies, the proposal is contrary to Policies 2S, 51S and 53 of the LP. Together, these Policies require development to be located and designed to provide convenient access to local services by foot, cycle and public transport to encourage physically active lifestyles and to address climate change.

Other Matters

28. If I were to accept the appellant's evidence in support of the need for self-build and custom housebuilding in the borough, the proposal would deliver a single self build/custom dwelling. This would diversify the housing market, increase consumer choice and would make a modest but important contribution to national policy objectives of significantly boosting the supply of housing. However, this and any associated economic and social benefits arising from the provision of a single dwelling would be modest and therefore attract limited weight.
29. Whilst I acknowledge that there is local (Policy 59S of the LP) and national policy support for self-build / custom dwellings, there is little in either the Framework or the Planning Practice Guidance to advocate that the provision of self-build housing should be disengaged from the over-arching objective to focus most new housing in rural areas into settlements as part of a spatial strategy to secure a sustainable pattern of development. Therefore, such support does not outweigh the harm I have identified and does not extend to allowing developments that are in overall conflict with the development plan.
30. Although residential development has been allowed on the neighbouring site, the circumstances of that site are different to the appeal site, given that it is already occupied by agricultural buildings. This, therefore, does not alter my findings on the main issues.

Conclusion

31. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal
INSPECTOR