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# Appeal Decision

Site visit made on 17 January 2023

**by D Wilson BSc (Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 23 February 2023**

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**Appeal Ref: APP/K0235/W/22/3306645**

**62 Roxton Road, Great Barford, Bedford MK44 3LR**

- 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 James Gill on behalf of J.C. Gill Developments Ltd against the decision of Bedford Borough Council.
  - The application Ref 22/00819/FUL, dated 12 April 2022, was refused by notice dated 7 June 2022.
  - The development proposed is the erection of two number detached 1.0 storey dwellings & all ancillary works.
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## Decision

1. The appeal is dismissed.

## Preliminary Matter

2. I have also had regard, and in accordance with Paragraph 30 of the National Planning Policy Framework, 2021 (the Framework) in this appeal decision to the Great Barford Neighbourhood Plan 2020-2030, made January 2022, which the Council provided as part of their appeal submission.

## Main Issues

3. The main issues in this appeal are:
  - whether the site is an appropriate location for the development proposed,
  - the effect of the proposal on the character and appearance of the area,
  - whether the proposal would provide adequate waste collection provision; and
  - the effect on highway safety.

## Reasons

### *Location*

4. The appeal site is located outside of the Settlement Policy Area boundary of Great Barford and, as such, is considered to be within the open countryside. Policy 7S of the Bedford Borough Local Plan 2030, Adopted January 2020 (LP) sets out the types of acceptable development outside Settlement Policy Areas. This includes, being well-related to a defined Settlement Policy Area and respond to an identified community need; be identifiable community support; be of a scale appropriate to serve local needs and contribute positively to the character of the settlement.

5. The site is within a small cluster of dwellings and whilst Great Barford is within walking distance, the site is located away from the centre, separated by large open fields. As such, it is not well related to the settlement, and the accessibility to local services and facilities. Whether a dwelling is isolated or not is a matter of planning judgement and in this case, for the above reasons I find that the proposal would be isolated which is in line with the case law<sup>1</sup> cited by the Council.
6. Views of the site and cluster of houses, particularly from Roxton Road, show a general disconnect with the settlement and instead result in it being part of the open countryside. I note that the new dwellings on Nightingale Road dominate the landscape on approach into Great Barford and some of these dwellings might be further away from services and facilities than the appeal site; however, the line of these houses follow those further back from the appeal site, which means that the cluster of houses still remain visually separate from Great Barford both on approach and when leaving.
7. Whilst I note that there may be a shortage of bungalows and small dwellings in Great Barford, I have no substantive evidence to demonstrate that there is a community need in order to support the development.
8. The site has been subject to a previous appeal decision<sup>2</sup>, whereby the Inspector found that the proposal would not be located in a suitable location. Whilst in the Inspectors planning balance, they found that the harm would be limited based on the location despite this they found it would still conflict with the development plan policies and would be outside of the Settlement Policy Area. Nevertheless, I do not have the precise details of this appeal scheme, and it would appear it related to only 1 dwelling, unlike the proposal before me for 2 dwellings. Even if, I were to consider it was well-related to the settlement, it would not meet the other criteria as required by Policy 7S.
9. I have also had regard to the appeal decision<sup>3</sup> in relation to the Land off Roxton Road whereby the inspector judged that the site would be suitable for development. The circumstances are however different whereby the site is partially within the settlement boundary, and is also located closer to the centre of Great Barford where existing patterns of development are being followed. In any event, I have dealt with the appeal on the basis of the evidence, and my own site observations.
10. I therefore conclude that the proposed development would be located in an unsuitable location. It would therefore be contrary to Policies 3S, 4S and 7S of the LP which relate to the location of new residential development.

#### *Character and appearance*

11. The appeal site consists of a single storey dwelling located within a large plot on the edge of Great Barford. There is a small selection of dwellings nearby which have varying styles and sizes. The dwellings are also set down at a lower level from the Roxton Road which when combined with the differing set back distances from the road, open frontages and mature hedgerows. Therefore, the area has an open, spacious and rural character and appearance.

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<sup>1</sup> City and Country (Bramshill) Ltd v SSHCLG [2021] EWCA Civ 320

<sup>2</sup> Appeal reference APP/K0235/W/21/3274315

<sup>3</sup> Appeal reference APP/K0235/W/20/3263447

12. The proposal seeks to retain the existing dwelling and construct a further 2 dwellings, 1 in front of the existing dwelling and 1 to the rear. Whilst the appeal site is a large parcel of land, and the existing dwelling is set further back than neighbouring properties, the proposed dwelling at the front of the site will be particularly visible from the footpath and road.
13. The dwellings proposed are single storey, with a similar width to the neighbouring properties which combined with the lower site level would result in plot 2 not being very visible. However, whilst plot 1 maintains the general rhythm of development in the area, it would result in a prominent feature at the front of the site which will begin to erode the spacious feel of the area. It is noted that the rear gardens of the existing dwelling and plot 1 will be facing Roxton Road, as such any associated domestic paraphernalia, which combined with pockets of parking for the proposed dwellings would appear out of place and erode the open and rural character of the area.
14. Furthermore, the resultant combination of 3 dwellings within a single plot, which would also be backland development would result in an unacceptable layout, and cramped appearance which is out of character with the pattern of development nearby. This would further erode the spacious character and appearance of the area.
15. I therefore conclude that the proposal would harm the character and appearance of the area. Consequently, the proposal would conflict with Policies 28S, 29 and 30 of the LP and Policy D1 of the Great Barford Neighbourhood Plan 2021-2031 (NP). These policies seek, among other matters, for development to promote local distinctiveness and contribute positively to the character of an area.

*Whether the proposal would provide adequate waste collection provision*

16. The proposed dwellings, in particular plot 2, are located some distance away from Roxton Road. As such, any future occupiers will need to drag their bins to Roxton Road on collection days. Whilst the bin drag distance is some way and contrary to the Councils Technical Guidance<sup>4</sup>, it is not uncommon in the area; notably the existing residents and neighbours would likely drag their bins a comparable distance.
17. I am therefore satisfied that the distance would not be inconvenient or contrary to what other residents nearby are already doing. Furthermore, the plans show a refuse collection area at the entrance to the site which would mean that bins are kept off the highway and would unlikely result in any complaints from neighbours or misuse.
18. The Council have referred to an appeal decision<sup>5</sup> whereby the Inspector found bin drag distance was excessive. However, the circumstances in that decision appear to be different, in that the bin drag distance was considerably further than this proposal, and concerns were in relation to bins blocking the access.
19. I therefore conclude that the proposal would provide adequate waste collection provision. Consequently, I find no conflict with Policies 29 and 31 of the LP which seek to integrate functional needs such as refuse/recycling storage and collection as well as give particular attention to general disturbance in the area.

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<sup>4</sup> Technical Guidance: Waste and Recycling in New Developments

<sup>5</sup> Appeal reference APP/K0235/W/20/3262808

### *Highway safety*

20. It is acknowledged by both main parties that the Highways Officer had incorrectly assessed the proposed dwellings as having 4 bedrooms as appose to the 2 bedrooms as submitted. As such, the correct number of parking spaces are shown on the submitted plans, and a suitably worded condition would address parking space standards.
21. Space for the turning of vehicles for plot 2 would be limited due to the tight location of the parking spaces and potential conflict with the visitor car parking when in use. As a result, vehicles would need to reverse a lengthy distance to the turning area at the front of the site to be able to leave in a forward gear. However, whilst there would be some inconvenience for those occupying plot 2 in terms of manoeuvring vehicles within the site, due to the space available at the site entrance, occupiers would still be able to leave in a forward gear.
22. The Council have raised concern that the turning area at the front of the site could be in used by service or delivery vehicles. However I have not been provided with substantive evidence to suggest that this would be a frequent occurrence. In any case, the turning space would be fairly wide and allow room to manoeuvre even with other vehicles parked.
23. I therefore conclude that the proposal would not result in harm to highway safety. Consequently, I find no conflict with Policy 31 of the LP which requires that proposals should not have any significant adverse impact on access to the public highway.

### **Other Matters**

24. I have no reason to conclude contrary to the Council's assessment that the proposal would not result in any harm to the living conditions of existing neighbours and that the site is currently under-utilised. I have also found that there would be adequate waste collection facilities, and no harm to highway safety. Nevertheless, these considerations do not outweigh the harm I have identified.
25. The provision of 2 new dwellings provides some benefit in support of Policies 3S and 4S of the LP, and will also provide a short-term economic benefit during construction works and long-term benefit of supporting local facilities. However, these matters do not outweigh the harm I have identified, and the conflict with the development plan policies in relation to the location of the proposed development and the harm to character and appearance of the area.

### **Conclusion**

26. For the reasons set out above, having had regard to the development plan read as a whole, and all other material considerations. I conclude that the appeal should be dismissed.

*D Wilson*

INSPECTOR