
Appeal Decision

Site visit made on 17 May 2023

by John Felgate BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 09 June 2023

Appeal Ref: APP/K0235/W/22/3311530

Land adjoining 164 Stagsden Road, Bromham, Bedfordshire MK43 8QR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr T Brown against the decision of Bedford Borough Council.
 - The application Ref 22/02061/PIP, dated 12 September 2022, was refused by notice dated 26 October 2022.
 - The development proposed is one single storey dwelling on Plot 3.
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Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising one single storey dwelling on Plot 3, on land adjoining 164 Stagsden Road, Bromham, Bedfordshire MK43 8QR, in accordance with the terms of the application, Ref 22/02061/PIP, dated 12 September 2022.

Procedural matters

2. The appeal seeks permission in principle, in accordance with the provisions of Section 58A of the Town and Country Planning Act 1990 and Section 150 of the Housing and Planning Act 2016. In such applications, the matters for consideration are limited to the location, land use and amount of development proposed. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. No conditions may be imposed at the permission in principle stage. I have considered the appeal on this basis.
3. The application is accompanied by a Proposed Site Plan. In the light of the above, this can have no more than illustrative status. I have treated it accordingly.

Planning background

4. The appeal site forms roughly one third of a parcel of undeveloped land. Planning permission exists for two dwellings on the site as a whole, by virtue of a permission in principle granted in 2019, and technical details consent granted in August 2022. The present application seeks permission for a third, single-storey dwelling, on the rear part of the land covered by this earlier consent.
5. In the Bromham Neighbourhood Plan (the BNP), made in June 2021, the appeal site is included in the Bromham village settlement policy area (SPA). Within the SPAs, Policy 5S of the Bedford Borough Local Plan (the BBLP), adopted in January 2020, provides that development for housing and other purposes is acceptable in principle, subject to compliance with other relevant policies.

Main issue

6. Having regard to the Council's reason for refusal, and all other matters raised in submissions, the main issue in the appeal is the effect of the proposed development's location, land use and amount, on the character and appearance of the area.

Reasons for decision

7. The appeal site lies on the edge of the village of Bromham. To the east is housing along Stagsden Road, with further development behind, in Pear Tree Close and Partridge Lane. On its western and northern boundaries, the site abuts a large arable field. To the south, beyond Stagsden Road, is further agricultural land.
8. In Stagsden Road, the existing development is mainly linear, with the houses fronting the road, and long rear gardens behind. As a result, the density of development in Stagsden Road is quite low. There is an exception to this pattern at No 158A, where there is a dwelling to the rear, accessed via a long drive, and the Council has also drawn my attention to two unimplemented permissions at Nos 130 and 132; but generally Stagsden Road's prevailing character is as I have described. At the appeal site, the development now proposed would introduce another dwelling behind the two already permitted, and would thus represent a departure from the established pattern and density in this part of the village.
9. However, as I saw on my visit, these qualities are far more obvious on a plan or aerial photograph than when seen on the ground. In most views from Stagsden Road itself, the view is of houses and front gardens, with relatively narrow spaces between. The depth of the rear gardens, and the resultant low density, are not readily apparent. The only exception to this is in the views from the A428, to the west and south-west of the appeal site; but from this direction, the houses in Pear Tree Close are clearly visible, and thus the site is seen in the context of the larger built-up area of the village as a whole, rather than just that of Stagsden Road. Having regard to the site's wider context, and the available public views, it seems to me that the development now proposed would not cause any significant harm to the area's character or appearance.
10. In addition, the appeal site's surroundings are evidently about to undergo major change, with the Council having resolved to grant permission for a development of up to 390 dwellings on the adjoining land to the west and north, and also to the south of Stagsden Road, all to be known as Beauchamp Park. I appreciate that the disposition of land uses, and the siting of buildings, are not yet determined. But there can be little doubt that the Beauchamp Park site will become urbanised in character, nor that the new housing is likely to be built to meet modern density requirements, which are clearly likely to be higher than the existing housing in Stagsden Road. Moreover, given that Beauchamp Park will encircle this part of Bromham on three sides, it seems likely that this will become the more dominant influence on the area's character. There is no apparent suggestion of any intention to create a buffer in this part of the development, nor indeed any requirement to that effect in the relevant BNP policy. With regard to the present appeal site therefore, it seems beyond doubt that the site's immediate context will change substantially, with the existing low density housing becoming a less significant element in the whole.

The prospect of this imminent change reinforces my view that the appeal proposal would not adversely affect the area's character or appearance.

11. I therefore conclude that, with regard to its location, land use and amount, the development now proposed would cause no harm to the area's character or appearance. In this respect the scheme would respect and complement its local context, and integrate with the surroundings, in accordance with BBLP Policies 28, 29 and 30.

Other matters

12. The Council's refusal notice also alleges a number of other policy conflicts. However, in so far as these relate to matters other than the location, land use and amount of development, they are matters for the technical details stage; and where the policies in question relate to matters other than the effects on character and appearance, they are not relevant to the Council's stated reason for refusal.
13. BBLP Policy 31 relates to impacts on the public highway. Although the illustrative plan shows insufficient turning space for some types of vehicles, none of the details on that plan, including the size and siting of the proposed dwelling, are for determination at this stage. There is no evidence that adequate space cannot be accommodated in a scheme of only one dwelling. Policy 32 relates to various other impacts, including noise disturbance and household refuse arrangements, but again there is no clear evidence that these issues cannot be overcome. BNP Policy HA3 relates to transport connections, and there is nothing before me to indicate on what grounds this is considered to give rise to any objection. Policy HA1 allocates various other sites in Bromham for development, and thus is not relevant to the present proposal. The suggested conflicts with these other policies have therefore not been substantiated.
14. In the National Planning Policy Framework (the NPPF), paragraphs 119, 124 and 125 support the effective and efficient use of land, in meeting the need for homes and other development, albeit subject to protecting local character. The appeal scheme would help to make fuller use of the land than the existing consent for two dwellings, and thus would accord with this aim.
15. I note the decision in an appeal at Biddenham¹, where backland development was held to detract from the area's character. But that case evidently turned on the particular circumstances of the site. I have dealt with the present appeal on its own merits.

Conclusion

16. For the reasons set out above, I conclude that the development now proposed is acceptable in terms of its location, land use and amount. Permission in principle should therefore be granted. The appeal is allowed accordingly.

J Felgate

INSPECTOR

¹ App/K0235/W/22/3203170