



Appeal Decision

Site visit made on 25 April 2023

by **S Lo LLB M.SRA**

an Inspector appointed by the Secretary of State

Decision date: 16 June 2023

Appeal Ref: APP/P0240/W/22/3313149

Land next to No.78 Woodside Road, Woodside, LU1 4DQ

- 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 Glen Eden Plant Sales Limited against the decision of Central Bedfordshire Council.
 - The application Ref CB/22/02141/FULL, dated 18 May 2022, was refused by notice dated 4 October 2022.
 - The development proposed is a new 1 bed dwelling with associated parking and amenities.
-

Decision

1. The appeal is dismissed.

Procedural matters

2. The appeal site is located within the Green Belt. The Council accepts that the proposed development would not be inappropriate, and I have no reason to consider otherwise.

Main Issues

3. The main issues are:
 - the effect of the proposed development upon the character and appearance of the surrounding area; and
 - whether the proposed development would result in harm to highway safety.

Reasons

Character and Appearance

4. The appeal site is an irregularly shaped area of land. At the time of my visit, it was surrounded by a metal fence and was hard surfaced, having previously served as a car park for the former public house. There are residential dwellings (No. 78 and 80 Woodside) which are located adjacent to the appeal site, as well as two cottages (No. 1 and 2 Whyley Cottages) at the rear. The site is bisected by a public right of way from Woodside Road to the rear of the site.
5. The properties along Woodside Road and the surrounding area contain a mixture of different designs, however, they are generally spacious and generously proportioned with respect to the size of the plot and the built form

within them. This corresponds with the open landscape of the surrounding Green Belt.

6. In contrast, the proposed development would result in a two-storey dwelling with a small rear garden. Due to its narrow width, compared to the houses to in the immediate area, two-storey height and the close relationship between the proposed development and the boundary edges, it would appear awkward and contrived. It would present as overdeveloped, as the scale and size of the plot would be disproportionate to the amount of built form (including vehicle parking, manoeuvring areas and access) and would result in a cramped layout with limited space for amenity areas and landscaping. As such, the proposed development would not reflect the pattern and grain of development in its surroundings.
7. In reaching this view, I have considered the fact that the footprint of the dwelling would not cover the majority of the appeal site. Nonetheless, noting particularly the pattern of development already present in the area, the cramped form of development proposed and the close proximity of the dwelling to Woodside Road, it would appear as a prominent and discordant feature which would be out of keeping with, and harmful to, the appearance of the wider area.
8. In conclusion, the appeal scheme would harm the character and appearance of the surrounding area. It would therefore not comply with policy HQ1 Central Bedfordshire Local Plan (2021) which requires development to relate well to the existing local surroundings. It would also fail to be sympathetic to local character and add to the overall quality of the area, contrary to Section 12 of the National Planning Policy Framework (2021) (NPPF).
9. The Council also alleges a conflict with Policy Case 8 of the Caddington & Slip End Neighbourhood Plan which refers to the public right of way which forms part of the heritage Greenway. However, the policy primarily refers to the need to provide benefits to the Greenway in terms of access, improved protection of wildlife and improved protection of heritage assets. It adds that any proposal that has a detrimental impact in respect of these matters will be refused. There is nothing in the proposal before me, including the provision of a flanking 1.8m high fence, that would have a negative impact in these regards. I therefore find no conflict with this policy.

Highways Safety

10. The plans indicate that two parking spaces will be located at the rear behind the dwelling. Additionally, the existing parking for the dwelling at No 78 Woodside Road would be relocated to the rear of that dwelling. As such, the plans indicate that the vehicle access way would need to accommodate traffic from the proposed development, 78 Woodside Road and 1 Whyley Cottage. This vehicle access way also includes the designated public right of way from Woodside Road towards the rear of the appeal site.
11. The Council considers that the visibility along the full length of the driveway and the point of the entry onto the highway to be satisfactory, and I have no reason to consider otherwise.
12. However, the proposed parking layout requires vehicles to reverse onto the footway from both the appeal site and 78 Woodside Road. This footway is

relatively narrow and, beyond the site, is enclosed by high vegetation and the wall of 1 Whyley Cottage. Specifically, vehicles reversing out of the allocated parking spaces at the proposed development would have poor visibility of any pedestrians approaching the appeal site from the footway, due to the grass bank and high vegetation adjacent to the appeal site. As such, this would result in a significant highway safety risk.

13. In reaching this view, I have considered that No 1 Whyley Cottage already uses this land for access. However, they can do so without needing to reverse backwards onto the public right of way. While there would likely be a limited number of daily vehicle movements, the risk of harm due to the need for future occupiers to reverse with poor visibility would have an unacceptably detrimental effect on pedestrian users of the footway.
14. In conclusion, the appeal scheme would prejudice highway safety in relation to pedestrian traffic using the footway. As such It would fail to provide safe and convenient access for pedestrians and would not enhance the existing footpath, contrary to policy T2 of Central Bedfordshire Local Plan (2021)., it would also not ensure that safe and suitable access to the site can be achieved by all users, contrary to Section 9 of the NPPF.

Other Matters

15. The application site lies within the Zone of Influence of the Chilterns Beechwoods Special Area of Conservation (SAC). However, there is no need for me to consider the implications upon the SAC in this case as the proposal is unacceptable for other reasons, as referred to above.

Planning Balance

16. I have considered the benefits that would arise from the proposed development. The provision of a single dwelling towards housing need would be a minor social benefit. Additionally, the construction of the proposed development would create jobs during the construction phase and provide support to the local economy. However, given the scale of the development, the benefit is deemed too small to grant significant weight to these benefits.

Conclusion

17. I have found that the appeal scheme conflicts with development plan policy and thus find that it would be contrary to the development plan as a whole. No material considerations have been demonstrated, including the provisions of the Framework, which would outweigh the planning development conflict. Therefore, for the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

S Lo

INSPECTOR