



Appeal Decision

Site visit made on 13 June 2023

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2023

Appeal Ref: APP/K0235/W/22/3311476

Storage land adjacent to Blackburn Hall Farm, Whitwick Green Road, Thurleigh, MK44 2DF

- 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 C Measures & Son against the decision of Bedford Borough Council.
 - The application Ref 21/01063/MAF, dated 9 April 2022, was refused by notice dated 15 September 2022.
 - The development proposed is a new Class B8 industrial storage building for Star Live and all associated works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues relevant to this appeal are:
 - the suitability of the appeal site as a location for the proposed development, with particular reference to the requirements of the Development Plan; and
 - the effect of the development upon the character and appearance of the surrounding area.

Reasons

Suitability of the site

3. The appeal site consists of an undeveloped area near to existing commercial uses. The wider area is predominantly rural in nature. The appeal site is located outside of any allocated settlement boundaries and also has not been allocated for any commercial activities.
4. In considering this appeal, I have been directed towards Policies 75 and 7S of the Bedford Local Plan (2020) (the Local Plan). Amongst other matters, these seek to ensure that new commercial developments are directed towards allocated settlements, commercial sites or existing commercial developments.
5. The evidence before me indicates that the appellant operates a development that adjoins the appeal site, which is also an unallocated commercial site and outside of settlement boundaries. However, the precise appeal site is being used for agricultural purposes and is therefore not part of the operational land of the existing business.

6. The proposed development, although sited near to other business premises, does not meet any of these criteria. In addition, the evidence before me does not indicate that the proposed development should be located within a rural area.
7. It has been suggested that there are few alternative sites for the proposed development. However, the wording of Policy 75 is clear that this scenario does not serve as a means of foregoing the rest of the requirements of this specific policy.
8. I understand that the appellant has concentrated business activities in this location. Therefore, the proposed development would result in a reduction in the number of journeys between these facilities. However, there is no mechanism before me that would secure the ongoing occupation of the proposed development by the appellant. In result, I can only give this matter a limited amount of weight.
9. I am aware that the appeal site is near to several other buildings. Although some of these are utilised by businesses, the development would result in an intensification of activities within the wider area, which would conflict with the aims of the development plan.
10. Owing to the relative distance that people would need to travel from other settlements in order to utilise the proposed development, combined with the nature of the surrounding road network is likely to mean that the people travelling by means such as by bicycle or on foot is likely to be deterred. Therefore, this would reinforce the reliance upon private vehicles.
11. Although people are likely to visit the existing building and deliveries are made to it, the proposed development would result in an increase in the overall level of activity. Therefore, this relationship between proposed and existing buildings does not allow me to forego my previous findings.
12. I am aware that the appeal site is near to several other buildings. Although some of these are utilised by businesses, the development would result in an intensification of activities within the wider area, which would conflict with the aims of the development plan.
13. I therefore conclude that the proposed development would be sited in an unsuitable location. The development, in this regard, would conflict with the requirements of Policies 75 and 7S of the Local Plan. Amongst other matters, these seek to ensure that developments are supported in the countryside if they meet defined circumstances and are appropriate in the countryside.

Character and appearance

14. The appeal site consists of an undeveloped site near to existing developments elsewhere. In addition, the wider area comprises undeveloped rural areas and near to several agricultural areas. In result, the appeal site and the surrounding area can be characterised as having an undeveloped and open character.
15. The proposed development would have a significant height and mass. In result, it would result in a notable increase in the overall level of built form. This would mean that the proposed development would erode the more rural form of the surrounding area owing to the notable increase.

16. In reaching this view, I have had regard to the materials from which the proposed development would be constructed from. However, although this might be comparable to some of the colours present in the surrounding area, the overall bulk of the proposed development would remain perceptible. This would mean that the proposed development would be incongruous.
17. There is an existing building near to the appeal site. However, this is well screened by bunding that runs near to the side and rear of the building. Therefore, it is reasonably well screened and not a prominent addition to the locality. The proposed scheme would not feature bunding, which would render it more strident.
18. The appeal proposal would be sited adjacent to a public footpath, which would run to the side and rear of the appeal site. Therefore, the resultant increase in built form, and loss of the area's more open character, would be potentially experienced by a great number of people.
19. I note that the proposed development includes some landscaping. However, these would not mask the bulk and mass of the proposed development and would potentially take some time to become established. Therefore, the presence of such landscaping does not overcome the preceding concerns.
20. Furthermore, the proposed development would be prominent. Owing to the topography of the surrounding area, the proposed development would be readily viewable from several different vantage points in the surrounding area. Furthermore, the appeal site is visible from some footpaths in the wider area. Although such views would be over a notable distance, the increase in built form would be readily perceptible. Therefore, the proposed development would be a strident addition
21. I understand that permission has been granted for agricultural buildings elsewhere, as well as a variety of other developments. However, these are not as prominent as the appeal scheme would be, and therefore do not outweigh my preceding findings.
22. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, would conflict with the requirements of Policies 29, 30, 7S and 28S of the Local Plan. Amongst other matters, these seek to ensure that developments be of a high quality design; contribute positively to the area's character; give consideration to the landscape qualities of the area; and recognise the intrinsic character and beauty of the countryside.

Other Matters

23. The proposed development would generate notable economic benefits. However, although it has been suggested that alternative sites have been investigated, and discounted, it has not been conclusively demonstrated that there are no alternative locations that might be able to accommodate the proposed development. This would potentially include an assessment of policy compliant sites. In result, I can only give this suggestion a limited amount of weight. Therefore, this matter does not outweigh my findings in respect of the main issues.
24. The appeal site is near to a Listed Building and a Scheduled Ancient Monument. However, as I am dismissing the appeal, the development would not result in

an adverse effect upon the setting of these heritage assets. I therefore do not need to give this matter further consideration.

Conclusion

25. The proposed development would have an adverse effect upon the character and appearance of the surrounding area and would not be suitably located. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the Framework, which 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