
Appeal Decision

Site visit made on 27 June 2023

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 July 2023

Appeal Ref: APP/P0240/W/23/3315209

Northend, High Street, Silsoe, Central Bedfordshire MK45 4ES

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Andy McKinstery against the decision of Central Bedfordshire Council.
 - The application Ref CB/22/02716/OUT, dated 5 July 2022, was refused by notice dated 25 November 2022.
 - The development proposed is a single, detached 2 bedroom bungalow with parking and associated amenity (outline planning application with all matters reserved).
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Decision

1. The appeal is allowed and outline planning permission is granted for a single, detached 2 bedroom bungalow with parking and associated amenity in accordance with the terms of the application Ref CB/22/02716/OUT, dated 5 July 2022, subject to the 11 conditions set out in the attached Schedule.

Preliminary matters

2. This appeal application for development to the front of Northend follows on from an earlier planning permission to build a dwelling at the back of that property. The plans submitted with the appeal application also show amendments to the access and parking layout for Northend and the approved new house, which are outside of the appeal application site. The Council's decision notice raises this as a procedural issue, but I understand that this matter has now been resolved by the approval of a non-material amendment to the earlier permission. This appeal decision relates to the proposal for development within the identified application site.
3. The appeal application was made in outline, with all matters of detail reserved for later consideration. The detailed plans submitted with the appeal application are indicative only. These illustrate a possible form of development, but are not part of the proposal for consideration here.

Main issue

4. The main issue is the effect of the proposal on the character and appearance of this part of the High Street, including the effect on the setting of the nearby Silsoe Conservation Area.

Reasons

5. Northend is a large detached house sitting well back from the High Street on a very deep plot near the northern end of the village. A new house is under construction at the back of the property and this proposal is for a bungalow at the front.
6. To the south, the village centre and conservation area is densely built up along the High Street but this section of the street is more open, with most of the buildings set back from the street behind low front enclosures and landscaping. A new housing estate has recently been constructed just to the north of the site, with the houses set well back from and facing away from the street and a strong line of trees between. These new houses have little visual presence on the High Street.
7. The houses on this side of the High Street vary in design but their siting is relatively consistent, with most set back about the same distance from the street to create an informal building line. Roughly speaking, the front half of the appeal site is forward of this line but if the bungalow is kept to the back half, somewhat further back than on the indicative plans, then it would not noticeably project forward of most other nearby houses.
8. This siting restriction would also tend to limit the size of the building. The proposal is for a bungalow. If it is kept to a single storey as suggested by the Council's draft conditions then it would be a minor feature in the street scene which would not unduly interfere with the visibility and legibility of the 2 houses to the rear. This would furthermore help to ensure that the restricted plot would not be overdeveloped and the spacious character of this part of the street would be maintained. A building of a modest scale and appropriate design could, therefore fit in well with the layout, varied density and character of this part of the High Street. It would furthermore be far enough away from the conservation area to avoid any significant effect on its setting.
9. The Council also raises concerns about the orientation of the bungalow, which is shown side on to the street on the indicative plans. This would be a matter to address in a reserved matters application.
10. I conclude that, subject to appropriate conditions and the consideration of the reserved matters, the proposal should not harm the character or the appearance of this part of the High Street or the setting of the conservation area. It accords with the shared aims of policy HQ1 of the Central Bedfordshire Local Plan 2015-2035 (LP) and the National Planning Policy Framework, to secure high quality design that reinforces local distinctiveness.
11. Silsoe Neighbourhood Plan policy SNP/HP-1 supports the provision of bungalows and 1 to 2 bedroom homes, in line with both the local residents' survey and with text quoted from the LP recognising the impact of the loss of bungalows over time. Although this is just one bungalow, the acknowledged need for smaller, single storey accommodation reinforces my conclusion in regard to the main issue.
12. The Council has suggested a set of conditions and the appellant has agreed to these. I have considered the justification for each one and have edited them in places to make them more concise, complete and practical.

13. I impose a condition specifying the relevant plan to provide certainty, but note that the other plans submitted with the application are indicative only. Conditions are needed to limit the bungalow to a single storey and control site and building levels to protect local character and appearance, in line with the reasoning set out above. Details of surface water drainage are needed to secure sustainable drainage and minimise off-site flood risk in the interest of public health and safety. I see no need, however, for these details to be included in a full Flood Risk Assessment or to be approved before development can commence, as suggested by the Council.
14. A condition requiring ecological enhancements is needed in the interest of biodiversity. A condition about on-site vehicular and cycle provision including parking and turning space is necessary to protect highway safety and sustainability. The suggested section of this condition regarding turning space does not apply to this particular situation and the section regarding the construction phase would effectively duplicate another condition. I therefore omit these sections.
15. Conditions regarding sustainability measures and electric vehicle charging points are needed to address climate change and other environmental matters. Finally, a condition requiring compliance with the Council's construction and environmental codes of practice is needed to minimise the impacts of development on neighbours, trees, hedges and biodiversity. The Council's suggested condition limiting the development to 1 dwelling is not necessary, however, since the outline planning permission is clearly stated to be for a single dwelling.
16. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) Details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for the approval of the reserved matters shall be made to the local planning authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plan: PD1533/01.
- 4) The dwelling hereby approved shall not exceed 1 storey of accommodation.
- 5) No foundation or construction works shall begin until details of the existing and final ground levels and the slab levels of the bungalow hereby permitted shall be submitted to and approved in writing by the local planning authority. Such

details shall include sections through both the site and the adjoining properties. Thereafter the site shall be developed in full accordance with the approved details.

- 6) No above ground construction works shall begin until a detailed design of the surface water drainage scheme to manage surface water runoff from the development for up to and including the 1 in 100 year event (+40% Climate Change) has been submitted to and approved in writing by the local planning authority. The discharge rate from the development will be limited to the equivalent greenfield 1 in 1-year rate or an appropriate alternative rate agreed in writing by the local planning authority. The details of drainage to be provided shall include, at a minimum:
 1. A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, soakaways and drainage storage tanks;
 2. The proposed impermeable area; and
 3. The proposed method of surface water disposal.The approved drainage works shall be completed prior to the completion or occupation of the bungalow hereby permitted whichever is the sooner and shall be retained thereafter.
- 7) No above ground construction works shall begin until an Ecological Enhancement Strategy (EES) for the creation of new wildlife features such as bird, bat and bee boxes in buildings/structures and retention of trees and hedgerow plus new planting together with a timetable for implementation has been submitted to and approved in writing by the local planning authority. Content shall include the detailed design of enhancements shown on appropriate scale maps and plans. The approved EES features shall be provided in accordance with the approved timetable and shall be retained thereafter.
- 8) Before the bungalow hereby permitted is first occupied on-site vehicle parking and manoeuvring, cycle parking and storage and a refuse collection point to be located at the site frontage outside of the public highway and any visibility splays shall all be provided in accordance with details submitted to and approved in writing by the local planning authority. The approved facilities shall be retained thereafter.
- 9) Before the bungalow hereby permitted is first occupied sustainability measures shall be installed in accordance with a sustainability statement submitted to and approved in writing by the local planning authority. The statement shall detail how the development will take full advantage of opportunities to increase resilience to climate change, incorporate sustainable technologies, increase water efficiency and reduce carbon emissions. Content shall include the detailed design of enhancements shown on appropriate scale maps and plans. The approved measures shall be retained thereafter.
- 10) Before the bungalow hereby permitted is first occupied facilities shall be installed for the charging of electric and ultra-low emission vehicles for use in conjunction with the dwelling in accordance with a scheme submitted to and approved in writing by the local planning authority. The scheme shall include details of active charging posts or passive provision such as cabling and electricity supply. The approved facilities shall be retained thereafter.

- 11) The development hereby permitted shall be undertaken in full accordance with Central Bedfordshire Council's adopted 'Construction Code of Practice for Developers and Contractors' and 'Environmental Code of Practice'.