



Appeal Decision

Site visit made on 12 September 2023

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 October 2023

Appeal Ref: APP/P0240/W/23/3320160

1 The Barns, New Road, Maulden, Bedfordshire MK45 2BQ

- 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 Richard Franceys against the decision of Central Bedfordshire Council.
 - The application Ref CB/22/03179/FULL, dated 3 August 2022, was refused by notice dated 13 October 2022.
 - The development proposed is the change of use of pasture land to dog training area with car parking.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council amended the description of the proposed development to the 'change of use of pasture land to dog training area with car parking'. I consider that this revised description provides a more succinct summary of the proposed works and have therefore proceeded on this basis.

Main Issue

3. The main issue relevant to this appeal is the effect of the development upon the character and appearance of the surrounding area.

Reasons

4. The appeal site consists of an undeveloped area near to existing buildings. Although there are several buildings in the wider area, a notable feature of the environs of the appeal site is the presence of undeveloped areas in between structures. This gives the surrounding area a rural and open character. There is some planting adjacent to the appeal site, which also acts at the site's boundary treatment. Beyond the appeal site is open countryside.
5. The proposed development would result in an increase in the overall level of built form. This would comprise the installation of an area of hard standing that would serve as the access to the site. In result, the proposed development would create an engineered appearance, which would result in an erosion of the site's existing verdant character.
6. The proposed development would replace the existing access to the appeal site. However, the access consists of compacted materials, which also features planting in proximity. It therefore has an appearance of the type that which might be expected to serve a field. In result, this element of the proposed

development would render the scheme incongruous. This occurs even though the field gate would be re-sited by a relatively small amount.

7. Although there are some accesses nearby that feature hard surfacing, the proposed development would result in a large concentration of such accesses. In result, it would lead to an erosion of the vicinity's verdant character.
8. The proposed development would include a car parking area. I understand that this would be constructed from a material that allows for grass to grow through it. However, irrespective of this the parking area would have a noticeable appearance that would conflict with the current undeveloped character of the site.
9. In addition, the car parking area would be used during events. Whilst this may not occur on a frequent basis, the parking of cars would conflict with the open and less developed character. Therefore, there would be a further erosion of the site's character.
10. The proposed development would therefore be clearly visible from the road that runs close to the front boundary of the site. This means that the incongruous form of development would be readily perceptible. Therefore, the development would be strident.
11. In reaching this view, I have had regard to the fact that the appeal site features varying items of landscaping. Although these would provide some screening of the proposed development, the overall screening effect would only be partial owing to the positioning of the existing planting.
12. In addition, there is a likelihood that the screening effect offered by such landscaping may vary, over time, depending on health and season. This means that the proposed development could become more prominent. Therefore, the presence of landscaping does not overcome my concerns.
13. Although other developments have taken place in the surrounding area, these features space around them, which allow for the retention of the surrounding area's open character. This would contrast with the proposed development. In result, the presence of developments elsewhere does not allow me to disregard my previous findings.
14. The proposed development would result in an increase in the overall level of economic activity and would also support the undertaking of leisure activities. Whilst these would offer some benefits, the overall weight that these benefits are limited on account of the fact that it has not been demonstrated that the appeal site is the only location in which the proposed development could take place. Therefore, they can only be given a limited amount of weight.
15. In addition, I note that the development would also be used for the training of assistance dogs. Although this would be of some benefit, it is unclear as to the frequency that this would occur. In addition, it would not be possible to secure that this activity takes place throughout the life of the development. In result, this matter only carries a limited amount of weight. Therefore, I find that the benefits of the development do not outweigh the significant adverse effects.
16. 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

HQ1 and SP7 of the Central Bedfordshire Local Plan (2021). Amongst other matters, these seek to ensure that proposals take account of opportunities to enhance or reinforce the local distinctiveness of the area and create a sense of place; and recognise the intrinsic character and beauty of the countryside.

Other Matters

17. The proposed development is unlikely to lead to an erosion of the living conditions of the occupiers of neighbouring properties. Whilst this is a matter of note, it is only one of all the matters that must be considered. It therefore does not overcome my previous findings.

Conclusion

18. The scheme would 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