



Appeal Decision

Site visit made on 4 July 2023

by Nichola Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09.10.2023

Appeal Ref: APP/K0235/W/22/3309356

Hill Farm, Sunderland Hill, Ravensden MK44 2SJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Ms Claire Donkin against the decision of Bedford Borough Council.
 - The application Ref 18/02095/REM, dated 07 August 2018, sought approval of details pursuant to Condition No 1 of 15/00447/OUT, granted on 25 August 2015.
 - The application was refused by notice dated 22 April 2022.
 - The development proposed is: application to approve all matters reserved in the outline application 15/00447/OUT for the siting, design, external appearance, the means of access and the proposed landscaping relevant to the proposed development.'
 - The details for which approval is sought are: access, appearance, landscaping, layout and scale.
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Decision

1. The appeal is allowed, and the reserved matters are approved, namely the siting, design, external appearance, the means of access and the proposed landscaping submitted in pursuance of condition 1 attached to outline planning permission Ref 15/00447/OUT dated 25 August 2015 subject to the conditions detailed in the attached schedule.

Applications for costs

2. An application for costs was made against Bedford Borough Council by the appellant. This application is the subject of a separate Decision.

Preliminary Matters

3. Outline planning permission¹ (the outline permission) was granted for the erection of an agricultural workers' dwelling to replace existing temporary dwelling whilst reserving siting, design, external appearance of the dwelling, the means of access thereto and the landscaping of the site for future approval (the Reserved Matters).
4. The Council have confirmed that the first reason for refusal relating to the effect of the proposal on protected trees was included in error. Based on the Council's Statement of Case and the Tree Officer consultation comments I see no reason to take an alternative view. This matter does not therefore form a main issue.
5. An amended plan (L-02 Rev B) was submitted with the appeal. This represents a minor alteration to the original scheme. In addition, the Council have had

¹ Reference 15/00447/OUT

opportunity to comment on this plan. On this basis, I do not consider that any party would be unfairly prejudiced, and I therefore have had consideration to the submitted drawing in determining this appeal.

6. Additionally, the appellant has included a drawing (RPC 618 D04) with the appeal final comments. This drawing annotates the internal dimensions of the proposed dwelling and does not form an amendment to the proposed layout. On this basis, I do not consider that any party would be unfairly prejudiced, and I therefore have had consideration to the submitted drawing in determining this appeal.

Main Issue

7. The main issue is whether the scale and cost of the proposed development would be commensurate with its functional requirement as an agricultural workers' dwelling.

Reasons

8. Approval of Reserved Matters is sought for a 2-storey detached farmhouse which would accommodate the appellant, her partner, child and father. The site is part of an agricultural holding which contains a number of agricultural buildings. It is understood that the holding is used primarily for crop trials and other research.
9. Policy 68 of the Bedford Borough Local Plan (2020) (LP) states that permission will be granted for rural workers' dwellings where, amongst other matters, the dwelling is of a size and cost commensurate with the established functional requirement for the enterprise.
10. The main parties do not agree on the proposed resultant internal floor area. If I were to take the Council's measurement of 193.94m² the proposal would comprise a large dwelling house with a substantial amount of accommodation at ground floor level, well in excess of the government's Nationally Described Space Standards. However, the relevant development plan policy does not set out that agricultural workers' dwellings must not exceed the minimum space standards set down in the government's Technical Housing Standards – Nationally Described Space Standard (NDSS). These are minimum standards and furthermore they do not relate to the functional requirements of an agricultural workers' dwelling.
11. Much of the ground floor accommodation would meet the functional requirement of the enterprise, including the proposed study area which would function as a farm office and area for the storage of farm records, the kitchen/diner in which client meetings would be held and the boot room/scullery/ shower room to separate dirty and clean sides of the dwelling.
12. Additionally, the evidence before me explains that the ground floor accommodation would provide accessible accommodation for the appellant who, due to health reasons, may benefit from a wheelchair-accessible living space in the future and for the appellant's father who, for age reasons, would benefit from the provision of ground floor accommodation. Whilst the accommodation would still remain above the size required for an adaptable dwelling, these are minimum standards that do not relate to the functional requirements of an agricultural workers' dwelling and are not referred to in LP Policy 68.

13. Notwithstanding the above, the proposed layout includes a 3rd bedroom which would also function as an office for the appellant's husband's business. I have not been presented with any evidence that this business is linked to the farming enterprise and consequently the proposal includes accommodation that goes beyond the needs of the enterprise. Nonetheless, I do not find it particularly excessive or unreasonable that an agricultural workers' dwelling incorporates a spare bedroom, whether or not it were to function as a home office, or that the layout incorporates an en-suite bathroom to the master bedroom. The dwelling would be proportionate to the scale of the ground floor accommodation, for which I have concluded there is a functional need. Taking this into account I find the overall extent of the proposed accommodation would be broadly related to the functional requirement of the business.
14. Furthermore, the grant of outline consent establishes that the enterprise is viable, and I have not been presented with any compelling evidence that the cost of the proposed dwelling would be excessive in relation to the functional requirement of the business or that the business could not afford to build it.
15. In light of the above I find that the proposed dwelling would be of a size and cost which is commensurate with the established functional requirement for the enterprise. Consequently, the proposal accords with those aims of LP Policy 68 which, amongst other matters, state that planning permission will be granted for rural workers' dwellings in the countryside where the dwelling is of a size and cost commensurate with the established functional requirement for the enterprise.

Other Matters

16. Statute requires that the decision maker pay special regard to the desirability of preserving a listed building or its setting. The Council considered the effect of the proposal on the setting of The Grange, a grade II Listed Building, concluding that there was sufficient separation between the site and this building, and adequate screening to limit any impact on the setting of this heritage asset. There is no indication that the site has any form of historic significance in association with this listed building. Based on the information before me, I find no reason to reach a different view.
17. Comments made by Ravensden Parish Council regarding the proposed landscaping are noted along with a preference for the inclusion of parkland trees and native hedges. Based on the information before me I find that the proposal would successfully integrate with the surrounding area. Furthermore, I note that the proposal makes adequate provision for the protection of trees as set down in the arboricultural implications assessment and arboricultural method statement.
18. I have given due consideration to comments made regarding the effect of the proposal on the outlook and privacy of the occupiers of 2 Ravensden Grange. The appeal property would be located in excess of 60 metres from this property. Whilst it may well be the case that the proposed dwelling would be visible from this neighbouring property, in particular in winter when intervening vegetation loses its leaves, nonetheless given the amount of separation between the 2 dwellings I find that the proposal would not appear obtrusive when viewed from this property or compromise the outlook for its occupiers. Additionally, given the amount of separation between the proposed dwelling and 2 Ravensden Grange, I find that the proposal would not result in

opportunities for overlooking of 2 Ravensden Grange, in particular given that there would not be any first-floor windows facing this property.

19. Comments regarding the siting of the proposed dwelling and a preference for it to be located on the site of the existing temporary dwelling are noted. Nonetheless, I am tasked with determining the appeal before me and I find no reason to conclude that the siting of the proposed agricultural workers' dwelling, which would form part of an agricultural unit, would be unacceptable or alter the rural character of the area.
20. Comments regarding the potential for future proposals on the site are noted. However, I see no reason to suppose that my decision in this case would set a precedent. Differing circumstances, and the potential for cumulative harm, would represent matters to be considered were other proposals to be advanced in the future.

Conditions

21. The Council has provided a list of conditions, which I have assessed in regard to the advice provided in the Planning Practice Guidance (PPG). I have altered the wording of some conditions in order to ensure they comply with the PPG. The appellant has had sight of the conditions.
22. I consider a condition regarding tree protection measures is necessary to protect trees within the appeal site in accordance with those aims of LP Policy 39. Conditions regarding car parking and turning and cycle parking are required in order to ensure a provision of adequate parking and cycle parking as set down in LP Policy 31 and Bedford Borough Council's Parking Standards for Sustainable Communities: Design and Good Practice 2014.
23. I have imposed the suggested conditions relating to the provision of broadband to support social well-being in accordance with those aims of LP Policy 94. A condition requiring the provision of a bin storage/collection point is necessary to ensure the provision of this facility. However, I have amended the suggested wording of this condition as this detail is shown on the proposed site plan.
24. I have omitted suggested conditions relating to the approval of a scheme of electric car charging points and water efficiency as these matters are covered by separate legislation.

Conclusion

25. The appeal scheme would accord with the development plan. The appeal should therefore be allowed.

Nichola Robinson

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The approved reserved matters shall be carried out in accordance with the following approved plans: P1 v01 (site location plan), L-01 rev B, L-02 rev B, RPC 618 D04.

- 2) The approved tree protection measures detailed in the arboricultural implications assessment and arboricultural method statement by Landscape Land & Property shall be implemented prior to the commencement of development and shall be retained until the completion of the development. Any land so enclosed during development shall be kept clear of all materials, machinery and temporary buildings at all times.
- 3) The new dwelling shall not be first occupied until the vehicle parking spaces/ turning areas have been properly surfaced and provided in accordance with drawing L-02 rev B. The spaces/turning area shall thereafter be kept available for parking and turning at all times.
- 4) The development shall not be first occupied until a scheme for short stay and long stay cycle parking (with access thereto) in accordance with Bedford Borough Council's Parking Standards for Sustainable Communities: Design and Good Practice 2014 has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development is first occupied and the cycle parking areas shall not thereafter be used for any other purpose.
- 5) Prior to the first occupation of the development, the dwelling shall be served with an appropriate open access fibre optic infrastructure to enable high speed and reliable broadband connection unless evidence is submitted which demonstrates that providing the required infrastructure is not feasible or economically viable.
- 6) Prior to the first occupation of the development the bin storage/collection point shall be provided in accordance with the approved plans. The storage/ collection point shall thereafter be retained.