



Appeal Decisions

Hearing held on 15 November 2023

Site visit made on 16 November 2023

by J M Tweddle BSc(Hons) MSc(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th February 2024

Appeal A Ref: APP/P0240/W/22/3313193

**The Red Lion, 1 London Road, Biggleswade, Central Bedfordshire
SG18 8ED**

- 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 Elliott Builders Ltd against the decision of Central Bedfordshire Council.
 - The application Ref CB/22/00857/FULL, dated 28 February 2022, was refused by notice dated 13 July 2022.
 - The development proposed is the conversion of former public house to one (1x) dwellinghouse, demolition of single-storey rear extensions, and conversion of outbuilding into garaging and storage building.
-

Appeal B Ref: APP/P0240/Y/22/3313199

**The Red Lion, 1 London Road, Biggleswade, Central Bedfordshire
SG18 8ED**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Elliott Builders Ltd against the decision of Central Bedfordshire Council.
 - The application Ref CB/22/01357/LB, dated 28 February 2022, was refused by notice dated 13 July 2022.
 - The works proposed are the conversion of former public house to one (1x) dwelling-house, demolition of single-storey rear extensions, and conversion of outbuilding into garaging and storage building.
-

Decisions

1. Appeal A – The appeal is dismissed.
2. Appeal B – The appeal is dismissed.

Applications for costs

3. An application for costs was made by Elliot Builders Ltd against Central Bedfordshire Council. This application is the subject of a separate decision.

Preliminary Matters

4. In relation to Appeal A, at the hearing the appellant submitted a revised Swept Path Analysis drawing¹ to demonstrate the ability to turn a 6.5 metre long vehicle within the site. The Local Planning Authority (LPA) confirmed that it had seen this drawing and had consulted with the Local Highway Authority over its content.

¹ Swept Path Analysis using a 6.50M panel van, drawing No. 2819-003, by CAD Precision Ltd

5. In light of this, the LPA has confirmed that this addresses its concerns in relation to highway safety and therefore overcomes its fourth reason for refusal in relation to the planning appeal. I have therefore not considered this matter further.
6. During my visit I observed that the appeal property had recently been subject to a scheme of refurbishment which has largely resulted in the internal reorganisation of the building. However, these works do not accord with the proposed plans and drawings that were submitted as part of the combined application for planning permission and listed building consent. Furthermore, I have no evidence before me to indicate that these works are lawful. Therefore, in the absence of any revised plans, my decisions are based on the proposals as shown on the plans and drawings that accompany the appeals, rather than what has already been implemented.
7. The Biggleswade Neighbourhood Plan (the Neighbourhood Plan) was 'made' on 17 October 2022. A copy of the Neighbourhood Plan was submitted as part of the appeal submissions and relevant policies were drawn to my attention. The parties have had an opportunity to comment on the Neighbourhood Plan over the course of the appeal proceedings, and therefore they would not be disadvantaged by my consideration of this document.
8. A revised version of the National Planning Policy Framework (the Framework) was published by the Government on 19 December 2023 and is a material consideration in planning decisions. Having considered the changes to the Framework in relation to the matters that are most relevant in these appeals, I find that the changes are minor and not material to my decisions. Therefore, it was not necessary to invite submissions from the parties on this matter, and I am satisfied that no one will be prejudiced by this approach.

Main Issues

9. The main issues in these appeals are:
 - Whether the proposal would result in the loss of a valued community facility contrary to local and national planning policies which seek to protect such facilities;
 - The effect of the proposed change of use on the vitality and viability of Biggleswade Town Centre;
 - Whether the proposals would preserve the special architectural and historic interest of the Grade II listed building, the Red Lion Public House, and linked to that, whether it would preserve or enhance the character or appearance of the Biggleswade Conservation Area; and,
 - Whether the proposal would provide satisfactory living conditions for future occupants, with regard to noise and disturbance.

Reasons

Protection of community facilities

10. Policy HQ3 of the Central Bedfordshire Local Plan 2015-2035 (the Local Plan) states that permission will only be granted for the change of use or redevelopment of social and community infrastructure where the applicant can demonstrate that:

6. *The use no longer serves the community, and significant evidence is provided to demonstrate that it is surplus to requirements and there is a lack of need for any other community uses at the facility; or*
7. *The loss would be replaced by equivalent or better provision either on site or at a suitable accessible location; or*
8. *Evidence is provided which satisfactorily demonstrates that the use is no longer financially viable, and all reasonable efforts have been made to sell or let the premises for a community use at a reasonable price for at least 12 months.*
11. The structure and wording of the policy is such that only one of the three criteria must be satisfied for a proposal to be found compliant with Policy HQ3. The supporting text to Policy HQ3 clarifies that community infrastructure is the facilities and services that support and meet the local everyday needs of those who live or work in the locality, and that this may include public houses.
12. In a similar vein, Policy BEM2 of the Neighbourhood Plan states that the loss of existing community facilities, such as pubs, will only be supported in specified circumstances. In essence these are: (a) a similar or better facility is provided in close proximity; or (b) it can be demonstrated that the facility is no longer viable, including by placing it on the open market at market value for a period of at least 12 months. (c) it can be demonstrated that the loss or change of use is part of a wider public-service transformation plan.
13. Policies HQ3 and BEM2 are consistent with paragraph 97 of the Framework, which requires planning policies and decisions to plan positively for the provision and use of public houses and to guard against the unnecessary loss of valued facilities and services. The Framework also seeks to ensure that established facilities and services are able to develop and modernise, and are retained for the benefit of the community.
14. The appellant argues that the provisions and requirements of Policy HQ3 must be considered in the context of Local Plan Policy R2 which explicitly provides protection for shops or public houses. They note that there is no explicit reference to public houses within the policy text of policy HQ3. In this regard my attention is drawn to the fact that Policy R2 is far less restrictive, and therefore it is the appellant's view that the proposal would be compliant if assessed against this policy.
15. Nevertheless, Policy R2 relates to proposals located in minor service centres or villages, in order to support a vibrant rural economy. There is no dispute that the appeal site is located within a major service centre, therefore Policy R2 is not relevant to the appeal. Furthermore, on plain reading of Policy HQ3 it appears that this is a general policy that would apply regardless of the location of the proposal.
16. In any case, the appellant is of the view that the appeal property is not a community facility because there is an abundance of other public houses in close proximity which meet the needs of the local community. Therefore, they are of the view that Policy HQ3 should not apply.
17. The strength of objection from Biggleswade Town Council, and other representations, provides clear evidence that the appeal property is regarded

as a valued community facility. At the hearing a representative of the local community described how, prior to its closure in 2020, The Red Lion showed football matches, hosted live music events, and provided an outdoor area where families could meet and enjoy periods of good weather. In these respects, I heard how the public house facilitated social interaction in the local community.

18. It is clear that, prior to its closure, The Red Lion was of considerable value to the local community in Biggleswade. Therefore, as a valued community facility, The Red Lion public house is very much the type of community infrastructure/facility that Policies HQ3 and BEM2 seek to safeguard, even if it is not currently fulfilling that role.
19. I appreciate that the public house is not formally listed as an Asset of Community Value. Such status is subject to separate legislation and criteria that sits outside of the planning system. However, the lack of such status does not diminish its role as a valued community facility for planning purposes. The existence of other public houses in the locality does not change my view in this regard because one would expect a settlement the size of Biggleswade to offer a range of differing types and sizes of public house, all with their own individual community offer.
20. Therefore, it is my view that both Policies HQ3 and BEM2 are relevant and applicable to the appeal proposal. Returning to the requirements of Policy HQ3, in respect of criterion 6, I have not been provided with sufficient evidence to demonstrate that the use of the public house no longer serves the community. Nor has any significant evidence been provided to demonstrate that the public house is surplus to requirements and that there is a lack of need for any other community uses at the facility.
21. Turning to criterion 7 of Policy HQ3, the appeal proposal does not offer a replacement community facility to mitigate the loss of the public house. Finally, in respect of viability (criterion 8), despite the appellant's claim that the public house is not viable, I have not been presented with any compelling evidence to demonstrate that the use is no longer financially viable. Nor is there any substantive evidence before me of any efforts made to market the property for sale or to let, as a public house, at a reasonable market value.
22. The fact that the public house was subject to a noise abatement notice in October 2011 does not alter my view in these regards as the business appears to have operated for a number of years after this event without issue. It does not therefore suggest that this has affected the viability of the public house.
23. To my mind, it is recognition of the value of such facilities, the permanence of such a loss, and the important contribution that the facility makes to the social dimension of sustainable development and community cohesion, that local and national planning policies set such a high bar to their loss. The evidence before me does not clear that high bar.
24. Furthermore, allowing the appeal would draw a line under more than 300 years of community use as a public house. Whilst I acknowledge that the public house has been closed for several years, and that dismissing this appeal would not guarantee its re-opening, this would preserve the potential of such a use reoccurring, at least until such time as a robust and

comprehensive case is made in accordance with the relevant criteria set out in local and national policy.

25. Bringing all these points together, the proposal does not satisfy the requirements of Local Plan Policy HQ3, and for similar reasons it is contrary to Policy BEM2 of the Neighbourhood Plan. Accordingly, I find that the proposal would result in the loss of a valued community facility without sufficient justification. It is therefore contrary to the above cited local and national policies which seek to protect community facilities.

Vitality and viability of Biggleswade Town Centre

26. The appeal site is located within the boundary of Biggleswade Town Centre, as defined by the Local Plan, but outside of the Primary Shopping Area. Policy R1 of the Local Plan and Policy BTC1 of the Neighbourhood Plan supports a range of main town centre uses including leisure, commercial, office, tourism, cultural and community uses. Proposals for changes of use away from these uses within the town centre will only be supported if they meet certain criteria, including that the proposed use would positively support the vitality of the town centre by enhancing the range of facilities offered and/or stimulating activity outside of normal shopping hours. Policy BTC1 further requires the town centre's character, vitality and competitiveness as a market town to be maintained.
27. The proposal would result in the conversion and change of use of the public house (a main town centre use) to that of a single dwelling with four bedrooms and a detached garage. Accordingly, the appeal site's use as a residential property would markedly differ from that of its existing lawful use as a public house. Given the property's prominent location on a main thoroughfare, this would materially alter the market town character of this part of the town centre.
28. Policies R1 and BTC1 do not explicitly preclude residential uses such that there would be automatic conflict with these policies. Nevertheless, the proposed use is not a type of development that would generally be supported by these policies. The proposal would result in the loss of the commercial function of the site, therefore there would be a loss of a unit that could accommodate other main town centre uses that would contribute to the vitality and viability of the centre, as envisaged by Policies R1 and BTC1.
29. Moreover, criterion 4 of Policy BTC1 states that 'residential uses and other uses not-open to the general public will be supported for upper floors within the town centre, but will not be supported in ground floor street frontages'. As the proposal would result in residential occupation at ground floor level within a street frontage, there is further conflict with Policy BTC1.
30. While the Framework advises that residential development often plays an important role in ensuring the vitality of centres and encourages residential development on appropriate sites, the proposal is for only a single dwelling. Therefore, while future occupants are likely to use nearby services and facilities, this would be limited in effect and so there is likely to be an overall reduction in footfall to this part of the town centre.
31. The proposed use would not enhance the range of facilities offered and given its residential character; it is unlikely to stimulate activity outside normal

shopping hours. There would be an overall reduction in the facilities offered at this part of the town centre and therefore coupled with the likely reduction in footfall, the proposal would be detrimental to the vitality and viability of the town centre.

32. For these reasons, I find that the proposed change of use would have a harmful effect on the vitality and viability of Biggleswade Town Centre. It would conflict with Local Plan Policy R1 and Neighbourhood Plan Policy BTC1 which together seek to maintain or enhance the vitality, viability and character of the town centre by maintaining appropriate town centre uses. In this regard, the proposal is also contrary to the associated provisions of the Framework which aim to ensure the vitality of town centres.

Listed building and conservation area

Special interest and significance

33. The Red Lion Public House is a 17th century timber-framed building, with later 19th century mock timber-framing to its exterior. It is included on the statutory list at Grade II and is set within the Biggleswade Conservation Area. It is a modest two-storey building with an L-shaped plan and a steep dual pitch roof covered with red clay tiles. The building has been subject to various 20th century additions and alterations, including single storey flat roof extensions to its rear. Nonetheless, the building retains much of its historic character and features of interest, in particular, with much of its historic timber frame visibly evident throughout the interior of the building.
34. The Framework requires that the significance of a heritage asset, including any contribution made by its setting, should be established to a level of detail proportionate to the asset's importance². The appellant's Heritage Statement³ provides no more than a cursory overview of the special interest of the listed building and is not a rigorous appraisal of its significance. In this respect, it falls short of that which is sufficient to satisfactorily understand the potential impact of the proposal, and so it fails to comply with the requirements of the Framework.
35. Nevertheless, from the limited evidence before me, and from my own observations, I consider the significance of the listed building to be largely derived from a combination of its historic and architectural interest as a timber-framed building, typical of its period, and a well-preserved example of a traditional 17th century inn. The building's age, form and design, use of traditional materials, along with surviving features of special architectural and historic interest, most notably its historic timber-frame, and its communal value as a public house, all make an important contribution to its special character and significance.
36. The appeal site also falls within the Biggleswade Conservation Area (CA), which is focused on the commercial heart of the town, with Market Square at its centre. The CA comprises a tight-knit pattern of historic buildings reflecting the town's significant expansion during the 19th century, predominantly centred around its historic Market Square, and interspersed with older buildings. Its historic growth and expansion are in part owed to its location as a stopping point on the Great North Road, a key trading route

² Paragraph 200 of the National Planning Policy Framework

³ Heritage Statement by G C Planning Partnership Ltd. Dated February 2022.

connecting London with principal settlements in the North of England and Scotland.

37. The rich legacy of historic buildings and tight-knit pattern of development combine to provide an historic, attractive and distinctive townscape that contribute greatly to the significance of the CA as a designated heritage asset. As a 17th century building of traditional construction, the appeal site makes a significant contribution to the character and appearance of the CA, creating a sense of arrival to the town centre, along with its likely historic association as a coaching inn on the historic route of the Great North Road.

The appeal scheme's effect on the listed building and conservation area

38. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require me to have special regard to the desirability of preserving the building, or its setting or any features of special architectural or historic interest it possesses. Section 72(1) of the Act also requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. I have therefore considered the appeal proposal in light of these weighty statutory duties.
39. The proposal would see the currently vacant listed building converted into a residential property with four bedrooms and detached garage building. To facilitate the proposed conversion, the proposal would result in the demolition of the 20th century single storey flat roof additions to the rear. These elements do not add to the historic or architectural significance of the building and therefore their loss is of little consequence. However, removing these rear extensions is likely to expose the historic timber frame of the listed building.
40. The accompanying plans and drawings appear to show a new ground floor rear elevation, with patio style doors, built along the line of the timber-framing. However, there is no reference to the building's historic timber-frame or how this element of new build would interact with this part of the building's historic fabric. In fact, the building's timber frame is not identified on the proposed plans or drawings and there are no annotations to explain how or if it would be retained or removed. Furthermore, the appellant's Heritage Statement is silent on this matter and therefore provides no indication of the likely impact, or otherwise, of this element of the proposal.
41. It is imperative that proposals are accompanied by appropriately scaled drawings and specifications of sufficient detail to illustrate and/or describe the proposals in order to avoid any uncertainty over the extent of what is proposed, and to allow a robust assessment of any consequent effects. In this case, the plans and supporting information are wholly inadequate to undertake a meaningful assessment of the proposal and cast significant doubt over what is proposed. This is highly undesirable in general terms, but especially given that the property is a Grade II listed building, the conservation of which attracts great weight, and where such information is critical to understanding any consequent effects.
42. To overcome this, the appellant considers that a planning condition could secure a detailed schedule of works, with their intention being to retain the historic timber frame. However, in the absence of any illustrative details, or

technical specifications, there remains, at this stage, a great deal of ambiguity over what is proposed and therefore it would be unacceptable to leave such substantive matters to be controlled by condition. This is because the extent of the works and their consequent effect on the listed building is unclear and could also affect the structural integrity of this part of the building.

43. The Framework points out that applicants need to describe the significance of any heritage assets only to a level of detail that is sufficient to understand the potential impact of the proposal on the significance of the asset. However, despite the historic timber frame being integral to the overall significance of the designated heritage asset, the Heritage Statement fails to assess the impact of the proposal on this element of the building's historic fabric. It is therefore utterly deficient in this regard.
44. As a result, the proposal fails to demonstrate an understanding of the historic significance of the building's timber-framed structure or explain how the conversion works would affect this element of the building. Thus, the proposals pose a significant risk to the historic fabric of the listed building, and therefore its heritage significance. In the absence of any detailed and convincing evidence to the contrary, it is more likely than not that the proposals would harm elements which are integral to the listed building's special interest.
45. Despite the identified harm to the listed building, and subject to a condition to retain its signage, the proposals would not substantially alter the external appearance of the building when viewed from the public domain. Accordingly, I find that there would be no appreciable impact on the character or appearance of the CA when considered as a whole.
46. Bringing these points together, and mindful of the statutory duties arising from the Act, I find that the proposals would fail to preserve the listed building and its features of special architectural or historic interest. In doing so, the proposals would result in harm to the significance of this designated heritage asset.

Public benefits

47. Paragraph 205 of the Framework advises that when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to the asset's conservation, irrespective of the level of harm. Paragraph 206 goes on to advise that significance can be harmed or lost through the alteration or destruction of the heritage asset or from development within its setting and that any such harm should require clear and convincing justification.
48. In accordance with paragraphs 207 and 208 of the Framework, it is for the decision maker, having identified harm to the designated heritage asset, to consider the magnitude of that harm. Notwithstanding the absence of evidence in this case, under the terms of the Framework, I consider the harm to be less than substantial given the extent of the proposals and their likely consequent effects. Accordingly, the Framework requires the harm to be weighed against the public benefits of the proposals including, where appropriate, securing its optimum viable use.

49. The proposals would provide an additional residential unit in an area with good access to a range of services and facilities, making a positive contribution to the local supply of housing. Economic and social benefits would also accrue through the construction and subsequent occupation of the dwelling, with future occupiers utilising services and facilities in the locality.
50. Notwithstanding the lack of detail and ambiguity of what is proposed, the removal of the modern 20th century flat roofed extensions to the rear could better reveal the significance of the listed building, resulting in a heritage benefit. The proposals would also result in the renovation and refurbishment of a vacant listed building and provide a viable use that could secure its long-term future. However, on the evidence before me, it has not been demonstrated that the proposals represent the only viable use for the listed building. As such, it has not been demonstrated that the proposals would represent the optimum viable use of the building in terms of it being the one likely to cause the least harm to the significance of the heritage asset.
51. Consequently, the combined weight of the public benefits would not tip the balance in favour of the appeals when set against the considerable importance and weight that I place on the harm to the significance of the listed building. For this reason, the proposals are contrary to the Framework's aim to conserve heritage assets in a manner appropriate to their significance.
52. To conclude on this main issue, in the absence of sufficient public benefits to outweigh the identified harm, the proposals would fail to preserve the special architectural and historic interest of the Grade II listed building, the Red Lion Public House. Therefore, the proposals are contrary to Local Plan Policy HE3, Neighbourhood Plan Policy BH2, and the associated provisions of the Framework, which together seek to ensure that proposals will preserve, sustain and enhance the significance of heritage assets.
53. I have found that the proposals would not harm the CA and therefore I am satisfied that the overall character and appearance of that area would be preserved, in accordance with the statutory duty set out at section 72(1) of the Act. However, this is of neutral consequence that weighs neither for nor against the appeals.

Living conditions for future occupants

54. The appeal site is located on a busy road junction and main route into the town centre. It strikes me that the general character and function of the site's immediate surroundings is that of a busy town centre environment with a variety of uses, attracting a regular flow of vehicular traffic, including delivery vehicles, and moderately high levels of pedestrian footfall to access the local services and facilities on offer. This generates a degree of noise from road traffic and general comings and goings from nearby commercial and community uses.
55. Given the character of the area and the nearby commercial uses, there are clear indications of an active night-time economy. In particular, I note that the neighbouring Stratton House Hotel is a busy premises that is licenced for the playing of music late into the evening and early hours of the morning on some days of the week. Therefore, a significant degree of noise and disturbance associated with the general hustle and bustle of a town centre environment exists in the immediate vicinity and is likely to persist well into

the evening hours. This has the potential to result in noise and disturbance to the future occupants of the proposed dwelling.

56. To support the appeal the appellant has submitted a Noise Assessment⁴ which recommends that secondary glazing is installed to mitigate any potential adverse noise impacts on future occupants. The windows of the appeal property are largely single glazed timber-framed casement units, with some of the windows at first floor already incorporating secondary glazing units. However, it is not clear from the Noise Assessment if the current secondary glazed units are sufficient or if units of a higher specification are required to replace these existing units.
57. This lack of clarity is compounded by the fact that the noise monitoring did not take place from within the building and instead was conducted externally. Therefore, it has not been established as to what degree of acoustic protection the existing fabric of the building affords. Nevertheless, the LPA's Public Protection Officer is content that secondary glazing is likely to be an acceptable means of noise mitigation.
58. However, in the absence of detailed specifications for the secondary glazing units the LPA's Conservation Officer is concerned that the installation of such units could result in harm to the historic fabric of the building, particularly given its timber frame construction.
59. To address this, the appellant suggests that a scheme for secondary glazing could be secured by way of a condition, and subsequently approved in writing by the LPA. However, in order to impose a condition, decision-makers need to be confident that there is a reasonable prospect that the requirements of the condition can be achieved. Otherwise, the condition would fail the test of reasonableness.
60. I am mindful that interventions like secondary glazing are not always achievable for historic properties. This largely depends on the design of the existing windows, and the depth of the reveal. Whilst I accept that some units already benefit from a level of secondary glazing, there is nothing before me to demonstrate that this is adequate, or that further secondary glazed units would be achievable and could be installed without causing harm to the historic fabric of the building.
61. In these circumstances, I do not have sufficient assurances that a scheme of secondary glazing would be a suitable means of noise mitigation, given its potential adverse effect on the listed building. It would therefore be inappropriate and unreasonable to impose a planning condition to require such a scheme because it is unclear if such a scheme is feasible.
62. I acknowledge that a residential use already occurs on the first floor of the property. However, this use is ancillary to the building's use as a public house, whereas the appeal scheme would intensify the residential use to that of an independent residential unit. Therefore, as an independent dwelling, future residents should be able to reasonably expect satisfactory living conditions without unacceptable levels of noise disturbance.
63. Consequently, in the absence of suitable noise mitigation, the proposal would not provide satisfactory living conditions for future occupants, with regard to

⁴ Noise Assessment by Joynes Nash Acoustic Consultants, dated December 2022, version 1.1

noise and disturbance. Therefore, the proposal conflicts with Policy CC8 of the Local Plan and the associated provisions of the Framework, which together seek to avoid unacceptable levels of noise pollution and achieve high standards of amenity for existing and future users.

Other Matters

64. The evidence refers to the presence of other Grade II listed buildings within the vicinity of the site, including Stratton House Hotel, No.4 London Road, and No.2 London Road. Mindful of the statutory duty set out in section 66(1) of the Act, I have had special regard to the desirability of preserving the settings of these listed buildings. The special interest and significance of these designated heritage assets largely stem from their architectural and historic interest as 18th and 19th century buildings, but is also derived, in part, from their respective townscape settings. Given the position and nature of the proposals, I consider that the settings of these designated heritage assets would be preserved. I note that the LPA raised no concerns in this regard, and from my own assessment I see no reason to take a different view.
65. I acknowledge that there would be some limited economic benefits as a result of the proposals and that this would involve the refurbishment of a currently vacant listed building at considerable cost. However, these matters do not outweigh the harms that I have found in this case and the associated conflicts with the development plan.

Conclusion

66. In light of my findings above, the proposals would result in the loss of a valued community facility contrary to local policies which seek to protect such facilities, and it would have a harmful effect on the vitality and viability of Biggleswade Town Centre. I have also found that the proposals would fail to preserve the special architectural and historic interest of the Grade II listed building, the Red Lion Public House, and would not provide satisfactory living conditions for future occupants, with regard to noise and disturbance.
67. I have not found the proposals to be harmful to the character or appearance of the Biggleswade Conservation Area. However, this is of neutral consequence.
68. Nevertheless, for the reasons set out above, the proposals would conflict with the above-cited policies of the Local Plan and the Neighbourhood Plan. There is also conflict with the provisions of the Framework. The public benefits and other material considerations advanced in favour of the appeal are not of sufficient weight to outweigh these conflicts.
69. Consequently, there are no material considerations to indicate that the decisions should be made other than in accordance with the development plan. Therefore, I conclude that both appeals should be dismissed.

J M Tweddle

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Stephen Connell *BA(Hons) DipTP MRTPI*

Planning Consultant, GL Planning
Partnership Ltd

Terry Elliot

Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Eilis Edmonds *BA(Hons) MA MRTPI*

Senior Planning Officer

Maria Viciano *MRTPI IHBC (Assoc.)*

Conservation Officer

David Rubidge *BSc(Hons)*

Public Protection Officer/Env. Health

INTERESTED PARTIES:

Cllr Colin Thomas

Biggleswade Town Council &
Member of the Campaign for Real
Ale (CAMRA)

DOCUMENTS SUBMITTED AT THE HEARING:

Swept Path Analysis, drawing No. 2819-003, by CAD Precision Ltd, dated Oct 2023