



Appeal Decision

Site visit made on 29 January 2024

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th February 2024

Appeal Ref: APP/K0235/W/23/3323498

Fujifilm House, Whitbread Way, BEDFORD MK42 0ZE

- 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 Fujifilm UK Limited against the decision of Bedford Borough Council.
 - The application Ref 23/00099/FUL, dated 19 January 2023, was refused by notice dated 15 May 2023.
 - The development proposed is the siting of a new Demonstration Medical Community Diagnostic Centre (CDC) building, in the form of a portacabin type freestanding unit.
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Decision

1. The appeal is allowed, and planning permission is granted for the siting of a new Demonstration Medical Community Diagnostic Centre (CDC) building, in the form of a portacabin type freestanding unit at Fujifilm House, Bedford, MK42 0ZE in accordance with the terms of the application, Ref 23/00099/FUL, dated 19 January 2023, and the plans submitted with it including drawings: 0/7715/23-01 Rev A and 7715/23-02, subject to the following conditions:
 - 1) The use hereby permitted shall be for a limited period, being the period of three years from the date of this decision. The building hereby permitted shall be removed and the land restored to its former condition on or before the end of the agreed period.
 - 2) Details of the treatment of the external walls of the approved building shall be submitted and approved by the Local Planning Authority within 2 months of the date of this decision. These details shall then be fully implemented within 4 months of the date of this decision.

Preliminary Matters

2. During my site inspection I noted that the CDC building has already been installed. This is in a location slightly different to that proposed originally to the Council. However, an amended layout plan has been submitted that shows its correct siting. This does not materially alter the substance of the proposal, would not prejudice the interests of any party and therefore has been accepted as an amended layout plan.
3. The Council's second Reason for Refusal (RfR) related to the effect of the proposal on parking provision. The Appellant's evidence has demonstrated that parking provision is under subscribed. As such, the Council no longer seeks to defend RfR2. I see no reason, within the submitted evidence, to question this view and as this matter is not in dispute, I shall consider it as resolved.

Main Issues

4. Accordingly, the main issue is the effect of the proposed structure on the character and appearance of the area.

Reasons

5. Cardington Road is an A classified road that runs alongside an industrial and commercial area of Bedford. To the north is open land including the River Great Ouse, the Bedford Boat Club and Priory Country Park. These open areas are visible through hedge and tree planting which can be seen along both sides of the highway. Fujifilm House is a modern three-storey office block of excellent design, with a car park to its side. Both the office and car park are adjacent to the highway and set within landscaped grounds. The landscaped site, in combination with the tree and hedgerows found alongside the highway, create a pleasant verdant setting on the edge of the settlement. These components combine to enable the site to make a positive contribution to the character and appearance of the area.
6. The proposed building is within the car park occupying around 7 spaces close to the north boundary of the site. This would be adjacent to a hedgerow that affords some screening to the highway. However, around half of the building is clearly visible from Cardington Road over the top of the hedgerow. Although in summer months leaf cover would provide greater screening, such cover would make a limited difference to the extent of the building that would be seen from the public realm.
7. The building is of simple and functional design, being a flat roof rectangular box, painted white. It is separated from the nearby office block and therefore divorced from other built form on the site. As a result, the building is visible within its largely open context having an adverse impact on the character and appearance of the site and surrounding area. Its visual effect is exacerbated by its proximity to Cardington Road and the limited boundary screening.
8. However, the building is within Bedford's Urban Area Boundary and alongside employment designated land, within an industrial land use setting. It would be read in several views with the office building behind and has a low-profile flat roof, limiting its overall visual impact. Furthermore, conditions could be imposed to seek a colour treatment, or camouflage pattern, to assist the building in blending better with its local landscape setting. This would mitigate the visual effect of the building to an extent.
9. Consequently, the proposed building would not complement the character and appearance of the area but create only a moderately adverse visual impact. As such, the proposal would result in harm, albeit moderate, to the character and appearance of the area. As a result, the proposal would conflict with policies 28S, 29 and 30 of the Bedford Borough Local Plan [2020]. These seek, *inter alia*, for development to have a positive relationship with the surrounding area and respect its context.

Planning balance, conditions and conclusion

10. The Appellant identifies that the building would provide screening for cancer and lifestyle diseases. It is a demonstration unit, showing medical professionals how such a unit is set up and operates. The company seeks to be able to demonstrate to clients that the building can be used as a standalone,

diagnostic structure. Accordingly, the facility would enable the business to invest in economic growth and productivity as supported by the National Planning Policy Framework. The Appellant has also indicated that the facility would only be required for a short period. Siting for only a temporary period would prevent any permanent visual harmful effects.

11. The proposal would result in moderate harm to the character and appearance of the area. Nonetheless, the identified harm would be reduced by applying earthy colours to the building and through the imposition of a condition granting a temporary approval, limiting the duration of its visual impact. These measures, in combination with the benefits of the scheme, would outweigh the limited conflict found with the development plan.
12. For the above reasons, the appeal is allowed, and planning permission is granted subject to conditions.

Ben Plenty

INSPECTOR