



Appeal Decision

Site visit made on 6 February 2024

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 19 February 2024

Appeal Ref: APP/P0240/W/23/3323032

Land Between 15 and 35 Ickwell Road, Upper Caldecote, Central Bedfordshire SG18 9BS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr W Lee against the decision of Central Bedfordshire Council.
 - The application Ref CB/23/00821/VOC, dated 7 March 2023, was refused by notice dated 4 May 2023.
 - The application sought planning permission for the erection of three detached dwellings and the demolition of an existing building without complying with a condition attached to planning permission Ref CB/21/03611/FULL, dated 30 June 2022.
 - The condition in dispute is No 2 which states that: The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers BL.02.02 Rev F, BL.02.03 Rev C, BL.02.05 Rev C, BL.02.04 Rev C, BL.02.06 Rev B, BL.02.09, BL.02.01 Rev B, BL.02.07 Rev B.
 - The reason given for the condition is: To identify the approved plan/s and to avoid doubt.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government published a revised version of the National Planning Policy Framework (the Framework) on 19 December 2023. Whilst this made certain revisions to aspects of national planning policy, the provisions in respect of the main issues of this case are largely unchanged. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework from the parties, and that no party would be disadvantaged by such a course of action.

Background and Main Issues

3. Planning permission has been granted for the demolition of an existing outbuilding and the construction of three new dwellings. The appeal seeks permission to carry out the development without complying with condition 2 which requires access to the highway for the three dwellings to be via one shared access point.
4. Consequently, the main issues are the effect of the proposed amendments on:
 - the character and appearance of the area; and
 - highway safety.

Reasons

Character and appearance

5. Upper Caldecote is a rural settlement surrounded by open countryside. The appeal site forms part of the rural approach to the village and acts as a gradual transition between the denser village centre and the openness of the countryside. This portion of Ickwell Road benefits from a substantial highway verge with a variety of trees and hedges present. Whilst I note the Council's description of the boundary landscaping and that a small number of private drives dissect the verge, the highway verge remains largely free from development and positively contributes to the verdant, rural setting of the village.
6. Although the appellant asserts that most dwellings on the adjacent site would have their own access from an adopted highway, the development appears to share only one access from Ickwell Road, maintaining the majority of the verge. Despite the scale of development approved on the appeal site and neighbouring site¹, two additional access points would notably increase the amount of hardstanding and thereby reduce the space available for landscaping. Due to its position at the edge of the village, and its prominence, the proposal would urbanise the verge and introduce incongruous development in this location. Consequently, the proposal would significantly diminish the contribution that the verge makes to the villages rural setting.
7. Therefore, I conclude that the proposed amendments would harm the character and appearance of the area. There would be conflict with Policies HQ1, HQ10 and EE5 of the Central Bedfordshire Local Plan 2015-2035 (July 2021) (CBLP) where together they require development to make the most efficient use of land, whilst reflecting the existing character of the area and safeguarding verges, which contribute positively, from encroachment. There would also be conflict with the Framework where it requires development to be sympathetic to local character, including surrounding landscape setting.

Highway safety

8. The proposal would increase the number of access points across the highway verge by two. Each plot would have an individual driveway with three parking spaces as well as a single garage.
9. Although there have been no recorded traffic collisions in this location, the proposal would create additional points of conflict between emerging vehicles and other highway users. However, the proposal would not increase the number of vehicles entering and exiting the site as a whole.
10. Notwithstanding this, due to the limited size of the driveways, even when the visitors' spaces were not occupied, vehicles would not be freely able to turn and exit the site in a forward gear. The appellant contends that this is not the case, however I have not been provided with any substantive evidence to indicate vehicles would be capable of adequately manoeuvring within the driveways. As such, due to the decreased visibility available from a reversing vehicle, the proposal would have a detrimental effect on highway safety.

¹ Application References: CB/21/03611/FULL and 19/02382/OUT

11. I note the information regarding traffic calming measures including a speed limit reduction. However, I have not been provided with any details nor have any measures already been implemented. Whilst the appellant asserts that the adjacent development and the associated measures will take place, there is no mechanism before me which would secure this in relation to the appeal development. Further, the provision of additional access points along Ickwell Road could prevent reasonable measures required for the implementation of the adjacent development.
12. Consequently, I conclude that the proposed amendments would harm highway safety. It would conflict with Policies T2 and T3 of the CBLP where they seek to ensure that development does not have a detrimental effect on highway safety and provides safe and convenient access, with adequate provision for circulation and vehicle turning.

Conclusion

13. For the reasons given above, I conclude that the proposed amendments conflict with the development plan as a whole and there are no material considerations, including the Framework that would outweigh that conflict. Therefore, the appeal is dismissed.

K Allen

INSPECTOR