



Appeal Decision

Site visit made on 15 July 2024

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 August 2024

Appeal Ref: APP/K0235/W/23/3314628

62 Roxton Road, Great Barford, Bedford MK44 3LR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr James Gill (J C Gill Developments Ltd) against the decision of Bedford Borough Council.
 - The application Ref is 22/02365/FUL.
 - The development proposed is the erection of 1 detached 1.0 storey dwelling and all ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. Due to the long time lag since the 'final comments' on this appeal in July 2023, plus the recent publication of a Written Ministerial Statement (WMS) *Building the Homes We Need* and associated consultation paper *Proposed reforms to the NPPF (National Planning Policy Framework) and other changes to the planning system*, the main parties were both given the chance to comment on changed circumstances.

Main issues

3. The main issues are:
 - i) Whether the proposal would be in an appropriate location, with reference to policies regarding the location of new residential development;
 - i) The effect of the proposal on living conditions at the next door bungalow, 58 Roxton Road, particularly in terms of effects on light and outlook; and
 - ii) The effect on the safety of users of the public highway.

Reasons

Location

4. 62 Roxton Road is a detached bungalow in a short line of dwellings, separated from the main village of Great Barford by an agricultural field and situated outside of the settlement boundary for the village as designated by the Bedford Borough Local Plan 2030 (LP). A substantial new housing development has recently taken place on allocated development land, diagonally across Roxton Road and a bit closer to the village. Great Barford is defined as a Key Service

centre in the LP. Local services are spread out through the village, a fairly long but not unreasonable walk away along paved roadside footpaths.

5. No 62 sits well back from the road within a large plot. The proposal is to build a single storey bungalow in the front garden, set over from the existing bungalow and next to the neighbouring bungalow, No 58.
6. This appeal follows on from 2 previous proposals for bungalow(s) here, both refused by the Council and dismissed on appeal¹. In the more recent of these appeals, the Inspector found that the appeal site is not within the settlement so the proposal conflicted with LP policies regarding the location of new residential development. The Inspector noted, however, that the settlement was within walking distance and there was no objection regarding the impact on local character, so that the harm arising from the site's location would be minor.
7. The current proposal for a single bungalow raises much the same locational issue as the previous appeals. LP policies 3S and 4S allow for development in key service centres like Great Barford, but make no provision for sites outside of those settlements. LP policy 7S allows for development in the countryside in certain circumstances, but none of the listed circumstances apply in this case. I have, for example, not seen any evidence of identified community need or support and note that the Parish Council objects to the proposal.
8. I am aware of another, older, appeal decision where 5 houses were allowed nearby². The circumstances in that case were significantly different. Although that site is outside of the settlement boundary, it adjoins the boundary on more than one side. It is also a modest but not insignificant distance closer to local services than the current appeal site.
9. I generally agree with the previous Inspector on this issue. The proposal would conflict with the development strategy set out in LP policies 3S, 4S and 7S, which aim to provide sufficient housing while restricting development outside of settlements. It would therefore not be in an appropriate location with reference to policies regarding the location of new residential development. I return to this matter in the planning balance.

Living conditions

10. The proposed new bungalow would be sited side on to the road, backing onto the bungalow at No 58 with only a narrow gap of less than 2m between. No 58 has a study which gains its light and outlook from a side window that would look directly onto the back of the new bungalow. I consider the study to be a habitable room, which could also be used for a bedroom or living room. As there was some doubt on the point in the submissions, I note that the study window is the second window back from the road on that side of the building, as confirmed at my site visit.
11. The study window faces to the northeast, so that it would get little direct sunlight. Direct overshadowing is therefore not an issue here. Although the new bungalow's roof would slope away from the boundary, this would nevertheless be a substantial new building positioned very close to the study

¹ Refs APP/K0235/W/21/3274315 (1 bungalow; September 2021) and APP/K0235/W/22/3306645 (2 bungalows; February 2023)

² Allowed on appeal Ref APP/K0235/W/20/3263447 (April 2021)

window, blocking a substantial amount of daylight (light from the sky). It would also loom over the window, dominating the outlook.

12. The submitted 'Street Elevation' drawing shows the new bungalow being set well down, below the level of No 58. As pointed out by an objector, however, this does not appear to reflect the actual situation on site where the ground looks to be fairly level. No finished site and floor levels have been submitted to confirm the street elevation drawing. In the absence of that information, it appears that setting the new bungalow down that low would likely be impractical. The potential impact on light and outlook at No 58 could therefore be significantly understated on the street elevation drawing. If the new bungalow was to be set higher than shown, this would increase its negative impact on No 58's daylight and outlook.
13. An objector also raises questions about privacy. The new bungalow would have habitable room windows facing directly towards No 58 at very close range. The impact on neighbours' privacy could, however, potentially be dealt with by conditions regarding obscure and fixed glazing and/or fencing.
14. I conclude that the proposal would unacceptably harm living conditions at No 58 next door, due to effects on daylight and outlook. It conflicts with LP policy 32 and Design Code N6 of the Council's Supplementary Design Guidance *Residential Extensions, New Dwellings, and Small Infill Developments* (SDG), which taken together aim to minimise disturbance to neighbours and avoid undue loss of light.

Highway safety

15. The proposed bungalow would share an access with the existing bungalow, with parking spaces for each dwelling. There is no suggestion that the access itself is not reasonably safe. The Council's concern in this regard is about a lack of information regarding access and turning space for a fire tender or delivery vehicles.
16. I am not convinced that on-site turning space for a fire tender or large delivery vehicles is needed, because such vehicles could be safely reversed out onto this 30mph speed limit stretch of road on the presumably rare occasions when this would be necessary. Concerns about a bend in the access route could be dealt with by planning condition.
17. I conclude that the proposal would not prejudice the safety of highway users. It accords with LP policy 31, which requires that particular attention is given to parking provision, safety and the suitability of access arrangements for service and emergency vehicles.

Planning balance and conclusion

18. As set out above, the proposal would conflict with the LP's locational policies 3S, 4S, 7S, and policy 32 regarding neighbour's living conditions. I find that it conflicts with the development plan, taken as a whole. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be determined in accordance with the development plan unless material considerations indicate otherwise.
19. Like the previous Inspector, I find that the harm caused in regard to these locational policies would be relatively minor, given that this is an infill site close

to the village where future occupiers could potentially walk or cycle to local services.

20. Although there is no suggestion of a shortfall in the Council's required 5 year housing land supply and the recently made Great Barford Neighbourhood Plan includes an allocation for 500 houses at the village, there remains a general and ongoing need for new housing. The recent WMS is an expression of government policy and places a high priority on increasing housebuilding to address a housing crisis and contribute to economic growth.
21. The proposal would help in a small but not insignificant way to boost the supply of housing, making efficient use of land in line with NPPF paragraphs 60, 123 and 128. It would also help to support the vitality of this rural community, in line with one of the aims of LP Policy 3S. These are all positive considerations. Although the benefits stemming from the addition of a single new dwelling are necessarily somewhat limited, these factors would be sufficient to outweigh the locational objection, if that was the only objection. I do, however, still place substantial weight on the harm that would be caused to neighbours' living conditions.
22. Turning to other factors, the proposal would not harm local character and appearance, but neither would it be a particular enhancement. It would not prejudice highway safety or conflict with other planning requirements. These are neutral considerations.
23. Taking into account these factors and all other matters raised, my findings in relation to the second main issue are sufficiently compelling for me to conclude that there are insufficient other material considerations in this case to justify a decision in conflict with the development plan. I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR