



Appeal Decision

Site visit made on 12 November 2024

by B Astley-Serougi BA(Hons) LLM MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 January 2025

Appeal Ref: APP/K0235/W/24/3344247

Vicarage Farm, Black Bungalow, Rushden Road, Sharnbrook, Bedford MK44 1NG

- 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 Deep Banghard against the decision of Bedford Borough Council.
 - The application Ref is 24/00080/S73A.
 - The development is erection of a building for occupation as a holiday let.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development on both the application and appeal forms refer to the development having already been carried out/retrospective whilst also using the word 'proposed'. I have removed words not in relation to acts of development.
3. The application form states that the development was completed in January 2013. I saw during my site visit the completed building. This accords with the plans before me. I have therefore considered the appeal on the basis that the development has already taken place, as did the Council.
4. The Council submitted the 'Bedford Borough Hotel Futures Update 2014' dated November 2016. The appellant has had the opportunity to comment and I have had regard for any comments made.
5. A revised National Planning Policy Framework (the Framework) was issued on 12 December 2024. Whilst some paragraph numbers have changed, the relevant paragraphs and parts of paragraphs identified as directly affecting this case have not been amended. Therefore, in this case it has not been necessary to consult the parties on the revised Framework.

Main Issues

6. The main issues are:
 - the effect of the development on the character and appearance of the area;
 - whether the appeal site is a suitable location for the proposed development, having regard to local and national policy;

Reasons

Character and Appearance

7. The appeal scheme is located within the open countryside outside of the Settlement Policy Area (SPA) as defined by the Bedford Borough Local Plan 2030 (the BBLP) and is surrounded by agricultural fields. There is a public bridleway located next to the boundary of the site. The wider site includes the Vicarage Farmhouse and an annexe both of which are sited southwest of the appeal building. The appeal building is single storey and timber clad with a dual pitched roof. The site is accessed by a single-track road from the A6 and the closest bus stop is a considerable distance from the appeal site.
8. The appeal site includes several rural features including stable buildings and a menage. Consequently, when viewed in conjunction with the surrounding open countryside and fields the appeal site is overwhelmingly rural in nature. The building has domestic fenestration and lighting and consequently does not resemble an agricultural barn. On the approach to the building there are large French doors which further contribute to the domestic nature of the development as does the staircase at the opposing end elevation. Accordingly, the development introduces a large and residential dwelling which disrupts the open nature of the site.
9. Moreover, the proximity of other residential dwellings does not justify the appeal scheme. The development is sited towards the rear of the appeal site and consequently borders the open agricultural fields. The existing residential dwellings are a considerable distance from these fields and consequently do not encroach upon the rural character of the surrounding area.
10. The appeal site was granted permission in January 2010 for the erection of an outbuilding for the purpose of storing vehicles¹. This application was determined against previous policies and consequently a different policy context. Nevertheless, the development would have had a large steel door which would denote the non-residential use of that development. Consequently, given the domestic features I have identified above, the appeal scheme before me differs materially to the previous scheme which was granted permission.
11. In conclusion, the development harms the character and appearance of the area. Consequently, the appeal scheme conflicts with Policies 7S, 28S, 29, 30 and 37 of the BBLP and Policy S1 of the Sharnbrook Neighbourhood Development Plan to 2030 (SNDP) insofar as these policies seek to ensure, amongst other things, that development is of a high-quality design and assimilates with the character and appearance of the surrounding area.

Suitable Location

12. Policy 76(ii) of the BBLP outlines that planning permission will be granted within the countryside where it is well related to a defined SPA, a Small Settlement or the built form of other settlements in accordance with Policy 7S.

¹ Planning Application Ref:09/02514/FUL

Development in the countryside

13. Policy 7S relates to development in the countryside. The purpose of the policy is to prevent isolated development in the countryside whilst supporting the provision of developments where they will enhance or maintain the vitality of rural communities and meet identified needs. Consequently, the policy outlines criterion which if met can result in support for development in the countryside.
14. Criterion (v) of Policy 7S outlines support for development outside defined SPA's if it is in accordance with Neighbourhood Development Plans which have been 'made' by Bedford Borough Council. Whilst the appeal site is within the Sharnbrook Neighbourhood Planning boundary, the appellant has not provided evidence to demonstrate that the appeal site is in accordance with the SNDP. Moreover, I have identified above that the appeal scheme is in conflict with the SNDP.

Well-related

15. The appeal site is not within the defined SPA boundary of Sharnbrook and there is considerable distance between the appeal site and the settlement boundary. Whilst there is a bus stop approximately 850m from the appeal site on the A6, there are limited footpaths from the appeal site to reach it. Consequently, the appeal site is not well related to the SPA. Nor is it well related to a Small Settlement or other form of settlement, none of which are near the appeal site.
16. It has been brought to my attention that the SNDP allocates a site for up to 500 dwellings on the opposing side of the A6. However, the SPA boundary would remain unchanged. Given the distance of the appeal site from the existing A6 and the lack of pedestrian access to Sharnbrook it would remain not well-related to the SPA boundary or any future development on the allocated site. Therefore, the existing presence of other dwellings on the appeal site or the allocation of other sites in the SNDP do not justify the appeal development.
17. Even if the development was well-related to Sharnbrook the appellant has not demonstrated the appeal schemes compliance with 7S(vi) regarding meeting an identified community need and 7S(vii) given that there is no identified community support. Additionally, I have identified above the harm of the development to the character of the surrounding area and consequently, it also fails to comply with 7S(ix and xi).
18. The Council granted planning permission for the erection of a garage and holiday let building at a site in Stagsden, Bedford² as well as Chapel Farm, Colmworth³. I do not have the full details of these cases before me regarding the proximity of the site to other settlements. However, each case is determined on its own planning merits. The relationship of each site to other settlements varies and sometimes cannot be determined on distance alone. The appeal site is not only a considerable distance from the existing A6 and Sharnbrook (including the SPA boundary), but its isolation is further exacerbated by the lack of pedestrian access to the settlement. Nevertheless, the granting of permission at other sites does not justify the harm I have identified above.

² Planning Application Ref: 20/00714/FUL

³ Planning Application Ref: 20/00008/FUL

Exceptional circumstances

19. Policy 76 of the BBLP outlines that development for new visitor facilities not in accordance with Policy 76(ii) will be supported in exceptional circumstances where it can be demonstrated that the development cannot reasonably be achieved from a location set out within the policy.
20. Whilst the appeal scheme has already been built it does not benefit from a previous planning permission, accordingly this does not equate to an exceptional circumstance regarding location as outlined in Policy 76(ii). Moreover, the appellant has provided limited evidence to demonstrate that the appeal scheme could not be reasonably achieved from a location described in Policy 76(i) or 76(ii).

Policy S12

21. Policy S12 of the SNDP provides support for the development of small businesses beyond the SPA insofar as the development involves the diversification of rural enterprises amongst other things.
22. The appellant has not demonstrated that the appeal scheme results in the diversification of an existing rural enterprise as per S12(b) nor that it meets local needs whilst supporting the rural economy as per Policy 3S(viii) of the BBLP. However, even if the appellant had demonstrated this, it would not overcome the harm I have identified above regarding the character of the surrounding area.

Planning history

23. I cannot be certain that an appeal decision relating to Gregorys Farm, Dane End, Hertfordshire⁴ is wholly comparable given the appeal was in 2017 and related to East Hertfordshire District Council. The appellant has referred to the 'Visitor Accommodation Review 2015 and the 'Hotel Futures' document which is dated 2014. There has since been an addendum to the latter document dated November 2016. However, given the date of the addendum and its focus upon hotel provision rather than holiday lets in Bedford, I cannot be certain that it is wholly relevant to the appeal scheme. Nevertheless, whilst the 2015 document highlights a shortfall regarding large 'super' cottages, the appellant has not sufficiently demonstrated the need for the development with regard to tourism accommodation.

Conclusion

24. In conclusion, given the distance of the appeal site to Sharnbrook and the bus stop, and lack of footpaths along the busy A6 highway the development is in an unsuitable location for a holiday let. Moreover, the appellant has not demonstrated that the development meets any of the exceptional criteria outlined in the relevant policies. Accordingly, the appeal scheme conflicts with Policies 3S, 7S and 76 of the BBLP as well as S1 and S12 of the SNDP insofar as these policies seek to deliver a sustainable spatial strategy regarding development and growth as well as the diversification of existing rural enterprises.

⁴ Planning Appeal Decision Ref: APP/J1915/W/17/3170554

Conclusion

25. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

B Astley-Serougi

INSPECTOR