



Appeal Decision

Site visit made on 4 February 2025

by Joanna Gilbert MA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th February 2025

Appeal Ref: APP/K0235/W/24/3349548

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 for Nett Assets Limited against the decision of Bedford Borough Council.
 - The application Ref is 23/02580/FUL.
 - The development proposed is demolition of an existing bungalow, garage and car port. Erection of x5 new detached dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The revised National Planning Policy Framework (NPPF) was published on 12 December 2024. I have not asked the parties for comments on the revised NPPF as it has not altered in respect of relevant NPPF paragraphs in this case.
3. The Bedford Borough Council Local Plan 2030 (BBCLP) has reached five years of age. The Council has indicated that it does not have a five year housing land supply. The appellant was given the opportunity to comment on this matter, but chose not to do so.

Main Issues

4. The main issues in this appeal are:
 - a) whether the proposed development would be in a suitable location, with particular regard to the development plan;
 - b) the effect of the proposed development on the character and appearance of the area;
 - c) the effect of the proposed development on pedestrian and highway safety;
 - d) whether the proposed development would make adequate provision for collection of waste and recycling;
 - e) the effect of the proposed development on the living conditions of neighbouring occupiers, with particular regard to outlook and privacy; and
 - f) the effect of the proposed development on ecology.

Reasons

- a) *Location*

5. Located within a small cluster of dwellings lying between Roxton Road and Addingtons Road, the site is outside the eastern boundary of the Settlement Policy Area (SPA) for Great Barford, separated from the SPA by several open fields.
6. An application 21/00084/FUL for a four-bedroom bungalow on site was refused and an appeal¹ was dismissed. Application 22/00819/FUL for two detached single-storey dwellings was refused and an appeal² was dismissed. An application 22/02365/FUL for a single-storey dwelling was refused and an appeal³ was dismissed. An application 23/00184/FUL for a dwelling was refused.
7. NPPF paragraph 82 confirms that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs, including proposals for community-led development for housing. Additionally, NPPF paragraph 83 states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.
8. BBCLP Policy 3S sets out the Council's spatial strategy with the focus of development on Bedford, Wixams, strategic urban and village extensions, and at key service centres such as Great Barford. It seeks to safeguard the countryside's intrinsic character and deliver most rural growth through neighbourhood plans. BBCLP Policy 4S distributes 2,000 dwellings to key service centres, including 500 homes at Great Barford. Such development should generally be in and around SPA boundaries and would be allocated in neighbourhood plans.
9. BBCLP Policy 7S confirms that development outside SPA and the built form of Small Settlements will be permitted if it is appropriate in the countryside in accordance with BBLP Policies 65, 66, 67 or 68 or a made neighbourhood plan. In addition, a proposal that is well-related to an SPA, Small Settlements or the built form of other settlements will be permitted where it responds to an identified community need, there is identifiable community support and it is made or supported by the parish council, its scale is appropriate to serve local needs or support local facilities, and it contributes positively to character.
10. The Great Barford Neighbourhood Plan (GBNP) (made on 19 January 2022) outlines the SPA for Great Barford and allocates land for residential development for a maximum of 500 residential units west of the village. The site is located outside the SPA and is not allocated for residential development in the GBNP.
11. Though for a greater number of dwellings, the proposed development gives rise to the same locational issues as the three earlier appeals. Given the location outside the SPA and the absence of GBNP allocation, the proposed development would fail to comply with BBCLP Policies 3S and 4S.
12. While BBCLP Policy 7S seeks to permit development in the countryside in certain circumstances, the site is outside the SPA and no evidence has been provided of community need. The Parish Council has objected to the proposed development. The requirements of BBCLP Policy 7S are not met.

¹ APP/K0235/W/21/3274315, decision issued 3 September 2021.

² APP/K0235/W/22/3306645, decision issued 23 February 2023.

³ APP/K0235/W/23/3314628, decision issued 20 August 2024.

13. There was an allowed appeal⁴ for five dwellings on the other side of Roxton Road adjacent to recent housing development at Nightingale Road. The Nightingale Road development lies partially within the SPA and is on the site of a former plant hire operation. Both the frontages of the Nightingale Road development and the allowed appeal site are closer to the village than the proposed development. All three sites are served by footpaths with street lighting. Though the site is not well-related to Great Barford as it does not directly adjoin the settlement, it is a walkable distance to the services and facilities which Great Barford offers.
14. With regard to the effect on the countryside, I will deal with the area's character and appearance below. The appellant has provided three appeal decisions⁵ in Thorpe-le-Soken. While Inspectors can reach different decisions on site suitability in similar locations, these appeal decisions do not alter my findings.
15. In conclusion, the proposed development would not be in a suitable location, with particular regard to the development plan. It would therefore fail to comply with BBCLP Policies 3S, 4S and 7S as set out above.

b) Character and appearance

16. Roxton Road and Addingtons Road run eastwards from Great Barford and meet at a junction some distance from the village. Within the triangle created by roads, there is a small cluster of housing at the junction and a further larger cluster of housing nearer the village. Both clusters are separated from the village by open fields. The site lies within the larger cluster of housing. Closer to the village and on the opposite side of Roxton Road, there is a large housing site at Nightingale Road. Open fields adjoin the Nightingale Road housing site to the north and east.
17. On Roxton Road's southern side, neighbouring two-storey and single-storey detached dwellings at 56 and 58 Roxton Road are slightly staggered, facing the road. The wider site at 62 Roxton Road adjoins No 58 and has an existing bungalow set further away from the road and at a right angle to the neighbouring housing. Beyond No 62, 64 and 66 Roxton Road are semi-detached single-storey houses facing the road. Behind No 62, three large detached properties (Nos 59, 59B and 61) face Addingtons Road. All the existing houses within this cluster have off-road parking and are set behind front gardens with ample rear gardens.
18. The proposed development would involve removal of the existing dwelling and the erection of five detached four-bedroom dwellings. Located at a right angle to Roxton Road, a private access would run approximately north-south with five proposed dwellings facing the private access. Though of differing designs, the proposed dwellings would be two-storey with the upper floors within the roofspaces.
19. Although the site is larger than neighbouring properties, the proposed dwellings would be of such a size and design, and be positioned so as to appear rather cramped and contrived within the site. Of particular concern are plots 3 – 5, where the gardens at plots 3 and 5 are particularly short, which is not consistent with garden depth locally. Furthermore, the house at plot 4 would be located within the corner of its plot with habitable rooms closely facing the plot's boundary. The house on plot 4 would be very cramped. Overall, the proposed development would be discordant and would not respect its relatively open and spacious context.

⁴ APP/K0235/W/20/3263447, decision issued 9 April 2021.

⁵ APP/P1560/W/18/3194253, decision issued 20 August 2018; APP/P1560/W/20/3260500, decision issued 13 September 2021; and APP/P1560/W/23/3321778, decision issued 5 April 2024.

20. Furthermore, the proposed house at plot 1 would face the private access. Although the existing house is similarly oriented, the proposed house on plot 1 is much further forward than the existing house. This would be prominent, would reduce the site's spaciousness, and would be inconsistent with the area's general character.
21. While the Nightingale Road development is of a denser nature than the housing within the cluster at Roxton Road and Addingtons Road, this does not alter my concerns about the proposed development's design and layout. Although there have been varying findings in earlier appeals, it has been necessary for me to consider the specifics of the proposed development and the site. Indeed, the number of dwellings, site sizes and layouts differ across the appeals.
22. I conclude that the proposed development would have a negative effect on the character and appearance of the area. Consequently, it would conflict with BBCLP Policies 28S, 29 and 30, GBNP Policy D1 and NPPF Chapter 12. These policies, amongst other things, address place-making and delivering high quality development, and having regard to context and local character.

c) Highway safety

23. The proposed development would have its vehicular access off Roxton Road, a 30 mile per hour road between Great Barford and Roxton. The access would run along the site's western boundary and would have a designated turning area for vehicles in front of the two parking spaces for the house at plot 3.
24. Given the site's size and shape and the proposed development's layout, cars and other vehicles, including emergency vehicles, would use the turning area marked in front of the parking spaces for plot 3. As the house at plot 3 would only have two parking spaces allocated to it, it is probable that cars associated with plot 3 would park in the turning area from time to time. Additionally, use of the turning area would potentially cause conflict for cars moving out of the parking spaces for plot 3.
25. Furthermore, the access to plot 4 is some distance from the turning area, which may result in vehicles turning across the adjacent footpath or into a neighbouring parking space for plot 5. Given the above concerns, the poor turning area provision would at its worst result in vehicles reversing through the proposed development and onto the highway. This would be detrimental to pedestrian and highway safety.
26. The appellant has provided information on visibility splays and swept path analysis in their Transport Assessment (Ref: 002/4230443/DK, Issue 2: 21 November 2023). Notwithstanding this, my concerns about the safety of the turning area remain.
27. While the allowed appeal off Roxton Road was also for five dwellings, this was in outline with layout reserved for later consideration and the Inspector in that instance considered that an adequate turning head could be provided within the deeper part of the site. The sites are not directly comparable. The 2021 and 2023 appeals on site found that the Council's highways objections were not sustained. However, the scale and layout of proposed development differs in this appeal.
28. The appellant has referred to the safety and security of the proposed footpath adjacent to plot 3 in their statement of case, but this does not form part of the Council's reason for refusal on pedestrian and highway safety and therefore I have only addressed the footpath in respect of the turning of vehicles within the site.

29. Concluding on this main issue, the proposed development would cause harm to pedestrian and highway safety. Accordingly, it would conflict with BBCLP Policy 31 which requires that development proposals should not have any significant adverse impact on access to the public highway. Particular attention should be given to, amongst other things, parking provision, safety or general disturbance to the area, access for cyclists and pedestrians, service and emergency vehicles.

d) Waste and recycling

30. BBCLP Policies 29 and 31 deal with general design principles and the impact of development. Amongst other things, BBCLP Policy 29 refers to integrating functional needs such as refuse/recycling storage and collection points, while BBCLP Policy 31 requires consideration of suitable access arrangements to and within development for service and emergency vehicles.
31. The Council's Technical Guidance: Waste and Recycling in New Developments dated March 2021 (Technical Guidance) at paragraph 4.1.2 confirms that residents must not be required to pull their bins more than 25 metres from the bin storage area to the highway, consistent with Building Regulations. Furthermore, Technical Guidance paragraph 5.5 states that the Council's collection vehicles will not enter private roads or unadopted driveways.
32. Plots 2 – 5 would be located some distance from Roxton Road. Bin stores would be on plot, which would indicate that the future occupiers would need to drag their bins to the collection point adjacent to Roxton Road. Although other local residents may well have to drag their bins some distance, the proposed development would require most future occupiers to drag bins a distance well in excess of the Technical Guidance. This would not make adequate provision for the collection of waste and recycling on a site larger than the previous appeal sites.
33. Even if a refuse vehicle can enter and leave the site, this fails to recognise that the Council would not serve an unadopted road or private driveway. Furthermore, the appellant suggests a shared refuse store close to the highway could be conditioned. However, this would be impractical as it would require future occupiers to carry their refuse and recycling long distances to their bins in the shared refuse store. It would also be likely to cause noise and disruption to plot 1's future occupiers, given the locations of the potential sites for the shared refuse store.
34. I conclude that the proposal would not make adequate provision for collection of waste and recycling, contrary to BBCLP Policies 29 and 31 and the Technical Guidance.

e) Living conditions

35. The houses on plots 1 – 3 would be sited across the depth of the main body of the site, while the houses on plots 4 and 5 would be at right angles to one another in the site's southernmost corner. The houses' front and rear elevations on plots 1 – 3 would face the houses and gardens at Nos 58 and 64 respectively. The house on plot 4 would be situated in proximity to the houses and associated gardens at Nos 59 and 59B. The house on plot 5 would be further away from the houses and gardens at Nos 59 and 59B, but would still be visible from these properties. Due to the proposed houses' layout, scale, siting and design, the proposed development would be dominant and would have a detrimental effect on the outlook of occupiers of neighbouring properties at Nos 58 and 64 and Nos 59 and 59B.

36. Plot 3 would contain a house with three bedrooms within the roofspace. These bedrooms would be served by three rear dormer windows. The dormer windows would face the rear garden of No 64 across the short rear garden serving plot 3. This would result in overlooking of part of No 64's rear garden and would detrimentally affect neighbouring occupiers' privacy at No 64.
37. In conclusion, the proposed development would have a harmful effect on the living conditions of neighbouring occupiers, with particular regard to outlook and privacy. It would fail to comply with BBCLP Policies 28S, 29, 30 and 32, GBNP Policy D1 and NPPF paragraphs 131, 135 and 139. These policies address the need to create high quality places, have a positive and respectful relationship with the surrounding area, have a high standard of amenity for existing and future users, and avoid giving rise to disturbance to neighbours.

f) Ecology

38. A Preliminary Ecological Appraisal (PEA) dated 31 July 2024 has been submitted. The PEA provides a sufficient assessment of the potential ecological impacts of the proposed development. If the PEA's recommendations were to be implemented via condition, there would be unlikely to be any adverse impacts on ecology.
39. I conclude that the proposed development would not have a harmful effect on ecology and would comply with BBCLP 42S and 43, GBNP Policy NE2 and NPPF Chapter 15 which seek to protect and enhance biodiversity. Reference was made to GBNP Policy NE5, but this should be GBNP Policy NE2.

Planning Balance

40. The Council has a housing land supply of 3.46 years. This indicates that NPPF paragraph 11 (d) applies and the policies which are most important for determining the application are out-of-date. Policy AD1 of the Bedford Borough Council Allocations and Designations Local Plan 2013 has similar requirements.
41. There is conflict with the development plan in terms of the location of the proposed development. However, this has only limited weight given that future residents could choose to walk or cycle to services and facilities. The proposed development would give rise to adverse impacts on the character and appearance of the area, pedestrian and highway safety, waste and recycling collection, and the living conditions of neighbouring residents. Together, these conflict substantially with BBCLP policies outlined above and have substantial weight. No harm was found in respect of ecology, but this is neutral in the balance.
42. The net addition of four houses would help to address the housing delivery shortfall. Housing numbers are expressed as a minimum figure and small sites can make an important contribution towards meeting the housing requirement in a timely manner and boosting housing supply. It is noted that the homes expected west of the village may take longer to deliver due to phasing and delivery of infrastructure. There would also be economic benefits of investment in construction and support for the local economy. Together, these represent significant benefits.
43. However, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The presumption in favour of sustainable development therefore does not apply in this appeal and there are no material considerations

which indicate that the appeal should be determined otherwise than in accordance with the development plan. This indicates that the appeal should fail.

Other Matters

44. Other matters have been raised by interested parties. As I am dismissing this appeal for other reasons, I have not dealt with these matters further.

Conclusion

45. For the reasons given above, the appeal should be dismissed.

Joanna Gilbert

INSPECTOR