
Appeal Decision

Site visit made on 26 March 2025

by **N Bromley BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 May 2025

Appeal Ref: APP/P0240/W/24/3352102

Land to the West Side of Shefford Road, Meppershall SG17 5PB

Easting: 514487, Northing: 237438

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr Dean Eldridge, of New Dawn Developments, against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/00887/OUT.
 - The development proposed is Outline Planning Application: Erection of up to seven detached dwellings (with all matters reserved).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site address in the banner heading above is taken from the original planning application form. However, I have included a postcode for clarity.
3. The application was submitted in outline with all matters (access, appearance, landscaping, layout, and scale) reserved for subsequent approval. I have therefore dealt with the appeal on that basis, treating the plans as illustrative only.
4. The appellant has submitted a Preliminary Ecological Appraisal, dated May 2024 (PEA), a Preliminary Roost Assessment 31/07/2024 and a Drainage Strategy Report, dated September 2024 (DSR) with their Statement of Case. While the reports were prepared after the Council's decision they have been submitted in a timely manner. As such, I am satisfied that no party would be prejudiced by my assessing the scheme with regard to the reports and I have taken them into account in determining this appeal.

Main Issues

5. The main issues raised by this appeal are:
 - the effect of the proposed development on the character and appearance of the area;
 - the effect of the proposed development on biodiversity; and
 - whether or not the proposed development would increase the risk of surface water flooding.

Reasons

Character and appearance

6. The appeal site comprises greenfield land along Shefford Road, located adjacent to but outside the settlement boundary of Meppershall. The land marks the edge of the village on the western side of the road, and it has a semi-rural character which contributes to the transition from the village to the open countryside.
7. The site falls within the National Character Area 88: Bedfordshire and Cambridgeshire Claylands, as well as Type 8D: Upper Gravenhurst – Meppershall Clay Hills in the Central Bedfordshire Council Landscape Character Assessment 2015 (LCA). The LCA identifies the landscape as rural in places but becomes interrupted by suburban influences such as linear settlements. Key characteristics within this area of the landscape include, amongst other things, undulating hills with a predominantly agricultural landscape, including areas of woodland. The LCA sets out that the typical unsettled hill slopes are vulnerable to urban influence from expanding settlements.
8. Meppershall primarily has a linear built form along Shefford Road and is the main characteristic of the pattern of development in the settlement. However, residential development leading off the road has resulted in some moderate change to the built pattern of development within the village, including adjacent to the appeal site, along Sandy View.
9. The proximity of the site to housing tempers the rural setting of the land and even though a modest number of houses have been built along Sandy View, which includes recently constructed detached dwellings, the immediate area does not comprise a highly urbanised extension to the village. In addition, the recently constructed houses are located towards the end of Sandy View, away from Shefford Road. As a result, the linear pattern of development along this part of the Shefford Road frontage is retained.
10. In contrast, the construction of up to seven residential dwellings would spread across the land, deviating from the linear pattern of development along this part of Shefford Road. It would introduce a significant amount of built form and mass onto the land, extending further beyond the existing housing on the western side of Shefford Road. Therefore, the proposal would not be in keeping with the pattern of development along the road. It would also appear abrupt within the context of the edge of village location, which would be incongruous within the landscape.
11. Furthermore, and for similar reasons to those identified above, the level of proposed development would leave limited opportunity to soften the boundaries of the site, and the proposal would fail to integrate with the adjacent wooded area and rural context beyond. As a result, there would be a permanent and noticeable, negative visual change to the landscape and although the harm would be localised due to screening from trees, the built mass and form of the development would still be apparent and contribute to the harm of the proposal.
12. Consequently, for these reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. As such it would not accord with Policies SP7, EE4, EE5 and HQ1 of the Central Bedfordshire Local Plan 2021 (the Local Plan). These together and amongst other things, seek developments that are of the highest possible quality and respect, retain and

enhance the character and distinctiveness of the local landscape in terms of the scale and pattern of the surrounding landscape and existing settlement form.

Biodiversity

13. The appeal site was formerly established woodland, but the site has largely been cleared of all trees and vegetation. Nonetheless, the PEA establishes that it still comprises of a priority habitat forming deciduous woodland.
14. Priority habitats are listed in the Natural Environment and Rural Communities (NERC) Act 2006 and cover a wide range of semi-natural habitat types and are identified as being the most threatened and requiring conservation action under the UK Biodiversity Action Plan.
15. Policy EE2 of the Local Plan sets out that development proposals will be permitted where they avoid negative impacts on biodiversity and provide a net gain in biodiversity, by incorporating and enhancing existing and creating new biodiversity features within their design.
16. While the majority of the woodland on the site has been lost, the PEA recognises that the habitats on the site are of moderate to high ecological value and should be retained and managed appropriately.
17. The construction of up to seven residential dwellings, with the associated access arrangements, would spread across the land. Within this context further site clearance is likely and, on the evidence before me, it is not clear how the proposed development could suitably conserve the priority habitat on the land.
18. Additionally, even though the appeal scheme is exempt from Mandatory Biodiversity Net Gain (BNG) and the PEA indicates that biodiversity enhancements could be achieved, substantive evidence, such as calculations of values prior to and post-development have not been provided to support these claims or secure the delivery of BNG. Given the lack of certainty, as well as the loss of priority habitats, even within the context of the application being in outline with all matters reserved, it would not be appropriate to require the provision of biodiversity net gain by condition in these circumstances.
19. Given the scale of development proposed on the land, and mindful of my statutory duty under Section 40 of the NERC Act, on the evidence before me, I must conclude that the proposed development would cause harm to biodiversity. Therefore, there would be conflict with Policy EE2 of the Local Plan, and the National Planning Policy Framework (the Framework), insofar as they seek to ensure developments conserve biodiversity.

Drainage

20. The site lies in Flood Zone 1 which represents the lowest risk of flooding from rivers or the sea. The DSR also confirms that the risk of fluvial flooding is low. Likewise, the DSR identifies that the existing site is at very low risk of surface water flooding also.
21. The DSR includes a Surface Water (SUDS) Drainage Strategy, which establishes that due to site constraints the most viable option is to use deep borehole soakaways, along with permeable paving and porous asphalt, to attenuate and treat surface water runoff.

22. On the evidence before me, there is a reasonable prospect of a satisfactory surface water drainage scheme being delivered and maintained through a suitably worded planning condition. Therefore, in the context of this development and the level of information provided, this approach would be in accordance with the objectives of the Framework and the relevant guidance of the national Planning Practice Guidance, which seeks decision takers to approach proposed development in a positive and creative way.
23. Accordingly, for the reasons given and on the evidence before me, I conclude that the proposed development would not increase the risk of surface water flooding. Therefore, the proposal would not conflict with Policies CC3 and CC5 of the Local Plan, which seek, amongst other things, development that does not increase flooding elsewhere and the use of SUDS to reduce surface runoff.

Other Matters

24. There is disagreement between the main parties regarding the current housing land supply position. Indeed, the Council identify that they can demonstrate 5.05 years, whereas the appellant suggests that the figure is 4.57 years.
25. The parties have drawn my attention to a number of appeal decisions¹ whereby Inspectors have addressed housing land supply in the area. These decisions resulted in the Council publishing a 'Five year housing land supply statement and methodology For the five-year period commencing 1st October 2024', published on 13 December 2024.
26. The Council has also highlighted a further, more recent appeal², which also addressed the Council's housing land supply position. The Inspector in that appeal found that the Council can only demonstrate a 4.93 year supply of housing land. Therefore, without any other substantiated evidence before me, I will use that figure as the Council's current housing land supply position for the purposes of the determination of the appeal.
27. While the short fall is modest, the presumption in favour of sustainable development, as set out at Paragraph 11(d) of the Framework applies. In these circumstances, paragraph 11(d)(ii) of the Framework states that planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
28. The Framework makes it clear that weight should be afforded to policies of the development plan according to their degree of consistency with the Framework. In this regard, the Framework states that decisions should recognise the intrinsic character and beauty of the countryside and requires that decisions are sympathetic to the landscape setting. The Framework also seeks to safeguard and enhance biodiversity. Therefore, the conflict between the proposal and Policies SP7, EE2, EE4, EE5 and HQ1 should be given significant weight in this appeal.
29. The site represents a windfall site that can be delivered quickly. The proposed development would also contribute to boosting the supply of new housing within a sustainable rural area, as referenced in the Framework and provide the associated social, economic, and environmental benefits. There would also be social and

¹ Appeal References: APP/P0240/W/24/3341832 and APP/P0240/W/24/3348840

² Appeal Ref: APP/P0240/W/24/3347671

economic benefits to local services during the construction and occupancy phases, which would help to support the nearby community. However, it is likely that the above benefits would be fairly modest in the context of a development for seven houses, thereby attracting moderate weight.

30. The lack of identified harm in respect of surface water flooding is a neutral factor which carries limited weight in the planning balance.
31. The proposed development would, based on the information and my assessment at this outline stage, unacceptably harm the character and appearance of the area, as well as cause harm to biodiversity. I attach significant weight to that harm, such that it would significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies in the Framework when taken as a whole. The scheme would not constitute sustainable development within the meaning of the Framework, and this weighs heavily against the proposal.

Conclusion

32. For the above reasons, I conclude that the proposed development would conflict with the development plan when considered as a whole and there are no material considerations, including the Framework, that indicate that the development should be determined otherwise than in accordance with it. For these reasons, the appeal should be dismissed.

N Bromley

INSPECTOR