
Appeal Decision

Site visit made on 20 May 2025

by **H Whitfield BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 June 2025

Appeal Ref: APP/P0240/W/25/3358620
154 Hitchin Street, Biggleswade, SG18 8BP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr Tom Scarth against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/01790/PIP.
 - The development proposed is the erection of 2x two-bedroom houses with associated landscaping, bin stores, cycle stores and widened vehicle crossover.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. The Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle, and the second 'technical details consent' stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted¹. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. I have determined the appeal accordingly.
4. Permission in principle can be sought for a range of dwellings by expressing a minimum and maximum net number of dwellings as part of the application. In this instance, permission in principle has been sought for two dwellings on the appeal site.
5. A proposed site plan, floor plans and elevations have been submitted; however, the planning statement identifies these as indicative and I have considered them as such.

Main Issue

6. The main issue is whether the site is suitable for residential development, having regard to its location, land use and the amount of development.

Reasons

7. The appeal site comprises 154 Hitchin Street (No 154) and its rear garden area which is accessed between existing two-storey dwellings No 154 and 152a Hitchin Street (No 152a). Properties on Hitchin Street immediately surrounding the appeal site are

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615)

typically two to three-storey terraces or semi-detached, occasionally interspersed with detached two-storey dwellings. Whilst the scale, design and architectural detailing of the properties in the vicinity of the site vary, houses are predominantly arranged in a linear manner fronting the highway, set behind small front gardens or parking areas. The appeal site and properties on this side of the street, up until No 180 Hitchin Street, have long rear gardens. However, in contrast, properties immediately to the north of the appeal site have short rear gardens due to existing rear outbuildings and their closer relationship with properties on Osprey Road to the west.

8. In the immediate vicinity of the appeal site, the pattern of development is relatively uniform and on the appeal site side of the street there is a generally consistent building line. Narrow gaps between the short, terraced blocks generally restrict views to the rear. However, where bigger gaps exist, there are views across gardens of two-storey dwellings on Osprey Road, which is a well-established cul-de-sac. This is the case for the appeal site, where views across the garden between No 154 and 152a are achievable from the highway. The absence of development within this space and separation from the properties beyond, reinforces the linear pattern of this part of the street.
9. To the rear of the appeal site, houses on Osprey Road are positioned around a central grassed area and relatively generous spaces exist between the blocks of short two-storey terraces, which provides visual relief from surrounding built form. The rear portion of the appeal site is one of these spaces between the terraced blocks. Whilst views of these dwellings are achievable between No 154 and 152a, they are separated by No 154's long garden and have a distinctly different pattern of development and character and appearance, to Hitchin Street.
10. The appeal site is within Biggleswade, which is identified as a major service centre in the settlement hierarchy and benefits from a range of services. Consequently, both parties accept that the proposed development would be an acceptable land-use for the appeal site. I have no reason to reach a different view.
11. However, the appeal site would not directly address a street frontage, and access would be gained off Hitchin Street, thus the scheme would be a form of back land development. Policy HQ8 of the Central Bedfordshire Local Plan 2015-2035 (the CBLP) sets out, amongst other things, that the development of back land sites will be resisted where they are against the existing pattern and grain of development and the character and appearance of the area would be harmed.
12. The layout and scale of the proposed development would be a matter for the technical details consent. However, in principle, subdividing the appeal site to accommodate two dwellings would result in properties that would be sited behind No 154 with short plot depths. Shorter and smaller garden areas would not be wholly out of character with properties immediately to the north and it is noted that development exists to the north and west of the rear portion of the appeal site. However, these properties that are sited on and address Osprey Road, have a distinct planned pattern of development and thus do not have the appearance of back land development to the houses fronting Hitchin Street.
13. In contrast, the principle of building two dwellings on the appeal site to the rear of No 154 would result in development that would have a closer relationship with properties on Hitchin Street and would clearly read as back land development. Such development would be at odds with the predominantly linear pattern of development on this side of

Hitchin Street. When viewed from Osprey Road, development on this site would fill the gap between the two existing terraced blocks and would undermine the more spacious and planned pattern of surrounding development on this cul-de-sac.

14. Views of the development would be achievable from Hitchin Street down the site access, and this would be of a development set back from the established building line, eroding the space between built form. This would undermine the positive, open and spacious characteristics of the appeal site and result in a development at odds with the prevailing character and appearance of the locality, when viewed from either Hitchin Street or Osprey Road. The development would therefore contrast with the existing pattern and grain of development and harm the character and appearance of the area.
15. Whilst I have had regard to the presence of 163a Hitchin Street², I have limited information regarding the circumstances of this permission and note it was approved before the adoption of the current development plan. Nevertheless, this dwelling is set adjacent to a row of properties which have a similarly set back position and angled alignment in the street scene such that it does not contrast with the immediately surrounding pattern of development. As such it is not directly comparable with the appeal scheme, which I have assessed on its own merits.
16. For the reasons given above, the site is not considered to be suitable for residential development, having regard to its location and the amount of development. Accordingly, it conflicts with Policies HQ1 and HQ8 of the CBLP. These require, amongst other things, that development should respond positively to their context and respect the character of the area having regard to the existing pattern and grain of development and the character and appearance of the area.
17. Whilst the Council's decision notice refers to Policy SP7 of the CBLP, I find no particular conflict with this policy as it relates to the hierarchical principle of windfall development within settlement envelopes, commensurate with the size, scale, role and function of the settlement where it is located.

Other Matters

18. The appellant refers to compliance with Policies BSP1 and BRD1 of the Biggleswade Neighbourhood Plan (2022) insofar as they relate to infill residential development. However, given any new dwellings on this site would be located to the rear of No 154 and would not infill a gap in an otherwise continuous built frontage, it would not be an infill development. Furthermore, even if approving development within a sustainable settlement could be said to directly reduce the pressure to develop agricultural land in the area, this would not outweigh the harm I have identified.
19. The Council considers that given the size of the site and its subdivision to serve the existing and proposed dwellings, the development would not provide high-quality amenity areas for the two dwellings. I have already found that, amongst other matters, due to the increased density of development, the site would not be suitable for residential development, having regard to its location and the amount. The Council has not advanced a reason for refusal in respect of living conditions, and I note the layout plan submitted is indicative. The scale and positioning of the proposed dwellings in relation to provision of acceptable living conditions for future occupiers would also be a matter for the technical details consent. Even if a scheme could be

² LPA ref. CB/12/00907/FULL

developed to provide acceptable living conditions for future occupiers, this would not overcome the harm I have identified in respect of the main issue.

20. I also note the concerns of the Council and the Highway Authority in relation to the suitability of the site on highway safety grounds, with regard to the provision of visibility splays and the intensification of the use of an allegedly substandard access. However, this does not form part of the Council's reason for refusal. There is insufficient evidence to be able to reach a reliable conclusion as to whether appropriate visibility splays and thus, safe access, could be achieved at the site.
21. However, the limited information provided with the appeal application is commensurate with the nature of the permission in principle stage process, which purely seeks to determine whether the location, land use and amount of development is acceptable in principle. These highways aspects are more appropriately determined as part of the technical details consent stage, and there can be no guarantee that just because the permission in principle has been granted, that the technical details consent will follow. At the technical details consent stage, it would be open to the decision-maker to consider specific details of the scheme including means of access and visibility splays. It takes approval of both stages for a planning permission to be secured.
22. Thus, whilst there is limited information provided to indicate that a safe and suitable access can be delivered, these details would come forward as part of a technical details consent application in any event.
23. I further note interested party representations have raised a number of other concerns, including in relation to the effects on living conditions, ecology and biodiversity, the clearance of trees, pollution and highway safety. However, given I am dismissing the appeal for other substantive reasons and compliance with any relevant policies in these regards would be the subject of the technical details consent, it is not necessary for me to consider these matters in detail.

Planning Balance and Conclusion

24. The proposed development would be an efficient use of land and, as a small site, could be built out relatively quickly. It would deliver the benefit of two dwellings within a defined settlement, close to services and facilities and contribute towards the local housing supply that would support the Government's aim of significantly boosting the supply of homes. There would be social and economic benefits during construction and after occupation. However, given the scale of the development, the benefits associated with the delivery of two dwellings would be modest and would not outweigh the harm I have identified.
25. Therefore, for the reasons given above, the proposal conflicts with the development plan as a whole and material considerations do not indicate that a decision should be made other than in accordance with the development plan. I therefore conclude the appeal should be dismissed.

H Whitfield

INSPECTOR