
Appeal Decision

Site visit made on 1 July 2025 by E Street BSc (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th July 2025

Appeal Ref: APP/P0240/W/25/3362017

Builders Yard, Higher Rads End, Eversholt, Central Bedfordshire MK17 9ED

- 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 Fraser Newberry against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/03176/FULL.
 - The development proposed is the erection of two detached dwellings.
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Decision

1. This appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The description on the application form refers to single storey dwellings and the appeal scheme relates to two detached, two storey units. The latter is what the Council determined. I have therefore used the above description which is on both the decision notice and the appeal form. In addition, and prior to the appeal being determined, additional information was exchanged between the main parties via a view the third reason for refusal on ecological matters. Specifically Greater Crested Newts. They are satisfied that the information and supporting Nature Space certificate are satisfactory in overcoming the refusal reason. I have no reason to disagree and have therefore not considered the matter further.

Main Issues

4. The main issues are a) whether the proposal would be inappropriate development in the Green Belt and b) the effect of the proposal on the character and appearance of the area.

Reasons for the Recommendation

Inappropriate Development

5. Policy SP4 of the Central Bedfordshire Local Plan (LP) defers to the National Planning Policy Framework (the Framework) for the assessment of development in the Green Belt. The Framework identifies that such is inappropriate unless one of the expressed exceptions applies. Paragraph 154 (e) explains that limited infilling in villages might not be inappropriate development.

6. There is no settlement boundary as one might be defined by the development plan enveloping the area where the appeal site is located, but then one need not be determinative in whether a proposal is located within a village. The appeal site is part of a sparsely laid out series of buildings both commercial and residential arranged around the roads of Higher Rads End, Lower Rads End and Witts End. The evidence suggests that what is known as Eversholt is to the west. It is a small enclave of development that is formed by housing, a church, a primary school, a public house and playing fields.
7. The Council's Landscape Character Assessment refers to the village ends around Eversholt and acknowledges they are sensitive to expansion and merger. It also goes on to explain within the Parish of Eversholt there are a larger number of ends, not quantifying whether they are a part of a village. The wider 'ends' are characterised by less concentrated and linear development with open fields separating them.
8. With the above in mind, I am satisfied that Eversholt is a village given its arrangement, facilities, contained nature and clear identity. Higher Rads Ends, less so and reads more as a road, otherwise in a rural area, with a number of buildings connected to it. There are no services and no other identifiers that would, in common sense terms, cause one to conclude it was a village in its own right. The appeal site being on said road, it is some considerable distance from Eversholt, separated by rural, unlit roads without segregated footways.
9. Limited infilling, for the purposes of the Framework, is not defined. The supporting text of Policy SP4 does however explain that infilling could be small-scale development in a small gap in an otherwise built-up frontage, utilising a plot in a manner which should continue to complement the surrounding pattern and grain of development. There are no other definitions before me to take into account.
10. I shall come onto matters of character and appearance later, but the appeal site is large and expansive. It would be stretching the definition to call the frontage at which the appeal site is located otherwise built up. It reads as a wide and open paddock which relates most in character terms to the open countryside beyond. It sits between the rear of a residential outbuilding and some buildings much further southeast, neither of which have frontages addressing Higher Rads End.
11. The scale of the appeal scheme as one for two dwellings might arguably be limited but, for this and the above reasons, it would be neither infilling nor in a village. I am aware of two planning permissions which have converted buildings within the appellants ownership into single dwellings which would be in close proximity to the appeal site. However, these schemes differ to the appeal proposal in that they are single storey modest conversions and were found acceptable under different Green Belt exceptions. Their siting and arrangement do not, moreover, result in the appeal proposals being limited infill in villages for the reasons I have explained.
12. Paragraph 155 of the Framework sets out that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all of certain criteria apply. As the appeal scheme is not for major development, the so called 'Golden Rules' are not applicable.
13. The Framework defines 'grey belt' as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in Paragraph 143 (the Green Belt

‘purposes’). ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development. For the purposes of this appeal, the site does not fall within any of the areas or assets stipulated within footnote 7.

14. There is some debate over whether the appeal site is previously developed land but, to be considered grey belt for the Framework’s purposes, it need not be. The proposal site is not located within a large built-up area as it has been established that it is not even a village and in a relatively rural location. It does not therefore exist to check the unrestricted sprawl of large built-up areas. The site does not sit in a location where its surroundings prevent neighbouring towns merging, nor does it serve the purpose of preserving the setting and special character of any historic towns. With this and the above in mind, the appeal scheme and site would be considered under the definition of grey belt.
15. The proposal would not, taking the above into account and given its scale location and nature, undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. There remains some disagreement between the main parties as to whether the Council is able to demonstrate a five-year housing land supply. Since the Council’s last statement thereon, and a lack of a sufficiently detailed updated thereto, there have been three appeal decisions, all of which concluded that the required supply did not exist. All three decisions were hearings, suggesting a degree of oral evidence testing. I can only therefore conclude that the Council is unable to demonstrate a five-year housing land supply. There is therefore a demonstrable unmet need for the type of development proposed. The Council are also satisfied that the proposals would be in a sustainable location.
16. Therefore, the proposals would comply with Paragraph 155 of the Framework and not be inappropriate development in the Green Belt. By association, this would ensure compliance with Policy SP4 of the LP which, amongst other things, seeks to protect the Green Belt from inappropriate development. Resultantly, I am not required to assess the proposals as far as they might affect the openness of the Green Belt nor explore any considerations that may amount to very special circumstances.

Character and Appearance

17. The appeal site is an open parcel of land located on Higher Rads End and is primarily surrounded by open landscape. There is some development surrounding the site by way of a few dwellings facing Witts End and some sporadic dwellings sitting along Higher Rads End. Otherwise, the wider area is distinctly rural, open and undeveloped. Despite being in close proximity to the office buildings, it is still visually distinct, fenced off and clearly demarked by hedgerow. Resultantly, these features exude a strong sense of rurality and an absence of development which contributes positively to the prevailing rural character and appearance of the area.
18. Policy SP5 refers to important countryside gaps and preventing coalescence. but with specific reference to areas outside of the Green Belt and thus its provisions don’t relate to the appeal scheme. Nonetheless, the presence of two new two storey dwellings of the scale, height and sprawling design proposed on the land parcel, and their associated access, curtilage and use, would be incongruous. Not only against the more modest and lower rise local development of a distinctly more agrarian feel, but they would add a more urban form which would unacceptably jar

against and erode the quality of the area's rurality. The visual effects of the proposals in these regards would be emphasised by the breaches in a currently unbroken hedge line for access and the position of the contextually tall buildings on slightly raised ground levels relative to their surroundings.

19. Taking this and the above into account, the proposal would cause harm to the character and appearance of the area. It would therefore conflict with Policies HQ1, EE4 and EE5 of the LP as well as sections 12 and 15 of the Framework which together and amongst other things, seek to ensure that development proposals are of a high-quality design and standard.

Planning Balance, Conclusion and Recommendation.

20. By virtue of the Council's housing land supply position, I am directed to paragraph 11 of the Framework insofar as the most important policies would be out of date. This would not affect the harms I have found which would, by virtue of them being wide ranging and long lasting, be worthy of substantial weight. The action of paragraph 11 further requires that planning permission should be granted in such situations unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for (as far as they are relevant to the appeal scheme) directing development to sustainable locations, making effective use of land and securing well-designed places.
21. The appeal scheme would, in the Council's view, be in a sustainable location and in the absence of anything compelling to the contrary, it would make an effective use of land. It would however conflict with the relevant parts of the Framework in regard to the harm I have found on design and appearance grounds in its context.
22. The proposal would provide two new dwellings; however, the difference it would make to supply would be limited, tempering the weight this matter would attract. The appellant has advised that the development would meet and exceed the 10% biodiversity net gain to which I would give moderate weight to the benefit of albeit this is in response to a separate legislative requirement. The units would be built in accordance with appropriate access for disabled and elderly to which I attach limited weight given what would be required by building regulations in any event. There would be some economic effects during the construction phase and those of a social nature once the dwelling is occupied but these two matters would be of limited effect given their time limited nature and the limited scale of the scheme.
23. It is sufficiently clear, with my findings on these matters in mind, that the adverse impacts of granting a planning permission for the appeal scheme would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. Consequently, the presumption in favour of sustainable development would not apply to the proposed development. The appeal scheme would not comply with the development plan, and I have been given no other compelling reason, taking into account other material considerations advanced and the approach of the Framework, to deviate therefrom. I therefore recommend that the appeal should be dismissed.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

24. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR