



Appeal Decision

Site visit made on 22 July 2025

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 01 August 2025

Appeal Ref: APP/P0240/W/25/3363892

Land at Chapel End Road and London Lane, Houghton Conquest, MK45 3LW.

- 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 Stephen Doyle of Bridgend Land Ltd against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/03717/FULL.
 - The development proposed is construction of dropped kerbs with tactile paving and extension to the footpath. (Alternative pedestrian scheme in lieu of compliance with Conditions 2 and 6 of Planning Approval CB/20/00448/VOC).
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The planning permission for the Wooding Close housing development included condition 6 which required (as essential to this appeal) that *“Before the proposed development is brought into use a footway measuring at least 1.2m wide shall be constructed from the junction of the proposed access along the east side of London Lane to Chapel End Road, to join with a footway at least 1.2m wide along the south side of Chapel End Road along the length of the frontage of the site to join the existing footway, as shown on plan number E3806/735/F. ...”*. The housing development is now occupied, but the approved footway has not been implemented in accordance with that condition.
3. The appeal proposal is intended to provide an alternative to the required footway. Since the application was a full application for planning permission, rather an application under s73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted, it would appear that conditions 2 and 6 would remain in place on the planning permission under which the development at Wooding Close was constructed.

Main Issues

4. The main issues in this case are: i) whether the proposal would provide a safe and suitable level of sustainable connectivity to and from the approved housing development known as Wooding Close; and ii) whether the proposal would avoid an increase in the use of an unimproved junction that would be detrimental to pedestrian safety on the highway.

Reasons

5. The proposed pedestrian crossing would be located on Chapel End Road. The immediate area is semi-rural in character with development on both the northern and southern sides of Chapel End Road. The new development, Wooding Close, to the south of this appeal site, is on the edge of Houghton Conquest. Chapel End Road becomes the High Street a short way to the west, and then The Gove. This route forms a spine road through the village, most of which is subject to a 20mph speed limit. There is an existing separate segregated pedestrian path in the north east corner of the development that provides access onto Chapel End Road some 65m to the east of the Chapel End Road / London Lane junction. It is at this point that the proposed dropped kerbs with tactile paving, and an extension to the existing footpath on the northern side of Chapel End Road, would be put in place.
6. As I noted at my site visit, the majority of the village and associated destinations are to the west of London Lane. These include the primary school, local store, church, public houses, and allotments. The Royal Oak public house on Chapel End Road appeared to be closed at present, but the Knife and Cleaver, a Hotel, restaurant and bar on The Grove, opposite the church, was open. However, on the north side of Chapel End Road, opposite the London Lane junction, there is a small recreation ground with children's play area.
7. The 20mph zone begins at the eastern end of the village about half way along the northern boundary (facing onto Chapel End Road) of the Wooding Close development. At this point there is a 'build-out' reducing the carriageway to 1 lane and requiring vehicles from the east to give way to traffic from the west (through the village). At this point there is also a dropped kerb providing a crossing point. The approved footpath from the entrance to Wooding Close and along Chapel End Road would connect to this point.
8. In terms of access to the village facilities mentioned above, for the appellant it is argued that there is no difference in walking distance for the Wooding Close residents from the appeal proposal compared to the route via the approved footpath, as shown on Figure 2.1 of the Rappor Consultancy report. In my experience, pedestrians favour a perceived or factual desire line in choosing a route to their destination. It is therefore my expectation that residents of this development will naturally favour the route that starts out heading in the direction of their objective.
9. It appears to me that there is no clear 'safest' route for pedestrians seeking the village facilities. There will be a temptation to cross Chapel End Road at the junction of London Lane, even doing so on a diagonal route across that junction. The alternative of using the existing dropped kerb by the speed restriction marking the start of the 20mph speed limit is at a point where drivers attention is likely to be concentrated on speed reduction and giving-way or pursuing the priority, and pedestrian confusion about the intentions of drivers who are slowing down from the east. A similar situation occurs at the point of the appeal proposal, since it is in the vicinity of the junction of Broadway with Chapel End Road and the approach to the give-way point, with the temptation for drivers to speed up to reach the pinch point before the oncoming vehicle from the west can truly claim priority.
10. In these circumstances, the most practical solution is to provide a route that is as safe as possible and close to the pedestrian desire line to the most likely

destinations for someone walking from the Woody Close development. That, in my judgement, is the footpath that was approved as part of this development. This would also have the advantage of providing a safe and pleasant footway along this section of London Lane, and improving visibility on the eastern side of the junction. The appeal proposal would have the benefit of providing drop kerbs on both sides of Chapel End Road, together with tactile paving. However, those benefits do not sway the decision compared to the advantages of the footpath required under the terms of conditions 2 and 6 of the planning permission under which the development was built.

11. For the reasons set out above I conclude that the appeal proposals would not provide a safe and suitable level of sustainable connectivity to and from the Wooding Close development to the village facilities, but would increase the use of an unimproved junction to the detriment of pedestrian safety on the highway, contrary to the intentions of conditions 2 and 6 of planning approval CB/20/00448/VOC. Therefore the appeal will be dismissed.

Terrence Kemmann-Lane

INSPECTOR