



Appeal Decision

Site visit made on 4 August 2025

by **AJ Mageean BA(Hons), BPI, PhD, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 September 2025

Appeal Ref: APP/K0235/W/25/3364267

Land Between Addingtons Road and New Road, Great Barford, Bedfordshire, MK44 3JN

- 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 Kler Group Limited against the decision of Bedford Borough Council.
 - The application Ref is 24/00807/MAO.
 - The development proposed is outline application with all matters reserved, except access, for the erection of up to 180 dwellings and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline form with all matters except access reserved for future consideration. I have had regard to the Indicative Master Plan (Dwg No 24-944-01) for illustrative purposes only.
3. The Council's decision notice lists 10 reasons for refusing planning permission. In their appeal statement the Council set out that they are satisfied that the Heritage Note provided at appeal stage contains sufficient detail of archaeological field evaluations to identify the archaeological potential of the site and the need for mitigation. Therefore, subject to a condition requiring an archaeological mitigation strategy, the Council are satisfied that sufficient evidence has been provided. It therefore appears that this reason for refusal is withdrawn.
4. Additional information relating to noise concerns has also been submitted at appeal stage. This seeks to address concerns about the potential effects of noise from the commercial site to the north on residential amenity. Based on this new information the Council is satisfied that commercial/industrial noise would be unlikely to result in adverse harm. This reason for refusal is formally withdrawn.
5. The appellant also submitted a unilateral undertaking (UU) to provide for various measures, including contributions towards early years, nursery, SEND and secondary school places. On this basis the Council is now satisfied that the impact of the proposed development on education would be mitigated. I return to consider this matter later in my decision.
6. As the UU would also provide a contribution towards the relocation of healthcare in Great Barford, the Council is also satisfied that the effect of the development on general medical services would be mitigated and no longer wish to defend this reason for refusal. I return to consider this matter later in my decision.

7. Finally, the Council notes that the UU includes provision for an offsite outdoor space financial contribution. On this basis the Council consider this reason for refusal has also been addressed. Again, I return to consider this matter later in my decision.
8. The appellants statement of case also suggests that the Council's reasons for refusing the application included reasons relating to the lack of biodiversity net gain and ecological enhancement, a lack of surface water drainage strategy and also inadequate refuse access and waste storage provision. It is apparent that this was not the case and therefore I have not pursued these points further.

Main Issues

9. The main issues in this case are:
 - Whether the proposed development would accord with the Council's spatial strategy;
 - The effect of the proposed development on the character and appearance of the area;
 - Whether adequate provision would be made for affordable housing on the site;
 - Whether the site represents a sustainable location in terms of access to local services and facilities; and,
 - Whether the proposed development would provide a safe environment in terms of the effects on the local highway network and for pedestrian and cyclist safety.

Reasons

Spatial strategy

10. The appeal site is a field located on the eastern side of the village of Great Barford, adjacent to, but mostly outside, the Settlement Policy Area Boundary (SPAB), within open countryside.
11. Great Barford itself is identified as a key service centre (KSC) in the Bedford Local Plan 2030 (the Local Plan) as part of the spatial strategy. KSC are noted as having a good range of services, being well connected to larger town centres by regular public transport, and providing a strong service role for the local community and surrounding area.
12. More specifically, Policy 3S and Policy 4S set out that there will be strategic housing development in KSC, with provision for 500 homes directed towards Great Barford, to be allocated via the Neighbourhood Development Plan. The sites identified within the KSC will generally be in and around defined SPAB.
13. In this regard the Great Barford Neighbourhood Plan (the NP) Policy H1 identifies Land at Great Barford West as a site capable of accommodating 500 dwellings. The NP sets out that this site, located to the west of the settlement and mostly outside the current SPAB, was preferred as, in comparison with other possible sites, this site would involve less direct impact on residents in terms of traffic flows, and would be preferable in terms of avoiding flood risk areas and areas of landscape sensitivity.

14. Policy 7S sets out that development outside settlement policy areas will only be permitted if it is appropriate in the countryside, with reference to specific policies, none of which are relevant to this case. It also sets out that exceptionally development proposals will be supported on sites that are well related to a defined Settlement Policy Area where it is demonstrated that certain other criteria are all met. This includes that it would respond to an identified community need, and that there is identifiable community support. It should also be of an appropriate scale to serve local needs or support local services. There is no evidence before me that these criteria would be met.
15. Further Policy 4S criteria are that the development would contribute positively to the character of the settlement and recognise the intrinsic character and beauty of the countryside. I return to these points in the following section.
16. I therefore conclude that the proposed development would not accord with the Council's spatial strategy, as set out in Local Plan Policies 3S, 4S and 7S. The appellant also refers to the provisions of Policy AD20, which I understand refers to an allocation for a medical centre in the Allocations and Designations Local Plan. This site is to the west of the appeal site. The appellant sets out that the underlying objectives set out in this Policy could equally apply to other sites. However, noting that this policy refers to that specific site and that the points made are picked up in other policy provisions, this Policy is not relevant to the determination of the appeal.

Character and appearance

17. The appeal site is a large broadly rectangular field adjoining New Lane. To the southwest a modest portion of the site adjoins the SPAB adjacent to Addingtons Road and School Lane. A field separates the site from Woodpecker Close to the south and there are further fields to the north and also to the east, beyond the appeal sites boundary with New Road. There is a modestly sized commercial site directly to the north of the site, though this is reasonably well contained and screened from wider view by the line of poplar trees along the shared boundary and other vegetation on its perimeter. Therefore, this site is not clearly perceived as being part of the settlement.
18. In views across this open site, gained when travelling south along New Road towards Great Barford, there is some awareness of the settlement, with the roofs of properties forming its northeastern extent partly visible. The spire of All Saints Church is also just visible. There is therefore some association between the site and this settlement context. There is a greater connection with the settlement in the limited views possible from the west, noting that it has a close association with some of the Addingtons Road properties and the allotments to their north.
19. However, overall there remains a degree of detachment in the sense of this field being more closely associated with the countryside setting of the settlement than the settlement edge. It does not follow therefore that development here would represent an obvious extension to the settlement. The appellant makes specific reference to a previous assessment of the development potential of the appeal site, noting that it was referred to as a logical extension to Great Barford, performing well in terms of landscape impacts. However, this was in combination with the field to the south, which directly adjoins the existing settlement edge.

20. In terms of landscape quality, the site is not as sensitive as other parts of the Great Ouse Clay Valley Landscape Character Area (LCA). This includes the more tranquil setting around the River to the east. In this regard the appellants Landscape and Visual Impact Assessment (LVIA) suggests that it is of medium/low sensitivity.
21. Nonetheless, the degree of detachment of the site from the settlement boundary, along with its rural character, means that it is sensitive to change. A development of up to 180 dwellings and associated infrastructure would result in a substantial change to the character of the site, through the loss of an arable field and a reduction in the sense of openness, particularly in direct views from New Road. Whilst the illustrative scheme incorporates landscaped public open space along the northern, eastern and western edges of the site, the applicant does acknowledge that the effect on the local landscape context would be moderate/minor adverse, even after 10 years.
22. In visual terms the LVIA acknowledges that the proposal would result in major and moderate effects on some viewpoints at Year 1, and in some cases up to Year 10. For example, the Year 1 effects on Viewpoints 8 and 9, relating to users of the Ouse Valley Way long distance public right of way, are noted as being major/moderate adverse.
23. That said, as this is an area of mostly flat landscape, the views of the site are mostly filtered by existing vegetation, noting that clusters of woodland and shelter belts are a characteristic feature of this landscape. Views do not, therefore, extend over a long distance. Beyond its immediate context, it is acknowledged that the development of the site would not give rise to any greater than low level adverse effects upon the key characteristics and sensitivities of the wider LCA. The appellant acknowledges that the site does form part of the wider Ouse Valley landscape, and can be seen within cross valley views from the elevated Renhold Clay Farmland LCA to the north west, such as from viewpoint 21. However, development here would not be any more prominent than the existing residential built form associated with the settlement that characterises the view.
24. The appellants Landscape and Visual Appeal Statement describes how the proposed development would be contained by, and set back from, the existing established mature poplar shelterbelt along its northern boundary, and hedgerows along the New Road boundary. The set back would allow for reinforcement tree and hedgerow planting, to ensure that in the long term, the proposals would not be visually prominent.
25. The appellant refers to the fact that Local Plan Policies 28S, 29 and 32 collectively promote high-quality design that responds to context and supports inclusive, liveable places. In this regard it is noted that the illustrative layout suggests lower densities at the rural edge and a more compact built form closer to the existing village, thereby delivering an appropriate transition. However, noting that appearance and layout are reserved matters, the Council do not at this stage take issue with these policy provisions.
26. Summing up on this point, the site is part of the rural setting of Great Barford and is connected to it directly to the west. However, there is a degree of detachment which indicates that the sites development would not be an obviously logical extension to the existing settlement. This development would result in some harm

to the form and character of Great Barford by impacting on the open and rural aspect of the setting of this settlement. This harm would be offset to a degree by the facts that the site does have an association with existing built form, and that existing and future landscaping would support its assimilation.

27. To conclude, the proposed development would have a moderately harmful effect on the character and appearance of the area. In this regard there would be some conflict with Policy 3S (viii) which refers to the need for new development to safeguard the intrinsic character and beauty of the countryside and the environment.
28. There would also be some conflict with Local Plan Policy 28S which requires that development has a positive relationship with the surrounding area, integrating well with and complementing the character of the area in which the development is located and that it should enhance the landscape. Similarly, there would be some conflict with Policy 37 which requires development to protect and enhance local landscape features and visual sensitivities of LCAs, as well as NP Policy NE1 which sets out that proposals should protect and enhance the historic and natural landscape and local character.

Affordable housing

29. The supporting text to Local Plan Policy 58S sets out the significant need for affordable housing established by the Council's Strategic Housing Market Assessment. As a result, this Policy requires that housing schemes of over 10 units provide for 30% affordable housing, with 78% of these as social or affordable rent properties and the remaining 22% as other forms of affordable housing.
30. The UU submitted by the appellant refers to an 'Affordable Housing Scheme' (AHS) that would set out details of affordable housing provision. The UU covenants to not implement the development until the AHS has been approved by the Council. It also covenants to transfer the affordable dwellings to an approved registered provider, or the Council, based on specified terms.
31. The Council's position is that the positive covenant within the UU to transfer the affordable housing contravenes the 1989 Law of Property (Miscellaneous Provisions) Act. Therefore, it is unenforceable. They also set out that the UU does not include a trigger for the transfer of the affordable housing and for this reason also it is unenforceable.
32. In response, the appellant sets out that the UU does not impose a positive covenant but instead imposes negative covenants, relating to the approval of the AHS, compliance with the AHS and entering into contracts with the Council or a registered provider.
33. On these points I note that the appellant has covenanted not to implement the planning approval until the AHS is agreed. They have also covenanted not to build out the affordable housing otherwise than in accordance with the approved AHS. However, this would mean that the rest of the scheme, that is the market housing, could be implemented once the AHS is agreed, even if this Scheme had not been delivered.
34. Clause 5.1.3 does give some comfort on this point as it precludes the occupation of the first market dwelling until a contract for the sale of the affordable housing

units has been exchanged. However, this clause does not prescribe a timescale, or provide a trigger, for when the affordable housing units would need to be transferred to the registered provider or the Council. On this basis the contract for the transfer of the units could be some years in the future. This would leave the Council in a weakened position in terms of enforcing the affordable housing provisions, as the preclusions on the occupation of the market units relates to the moment the contract is entered into.

35. As a result of these deficiencies, the UU as drafted presents some risks in terms of the delivery of policy compliant affordable housing.
36. The Council also set out that the provisions of the UU do not follow the requirements of Local Plan Policy 58S relating to affordable housing. Specific points made include that the requirements relating to having a social rent option, the need for affordable rents to not exceed the local housing allowance, the need to follow the Council's approved Housing Allocations Policy and the requirement that registered providers must be not for profit, are not addressed.
37. In relation to these suggested deficiencies, the appellant notes that the UU accords with the requirement that 78% of dwellings be social or affordable rented properties, that there is no reference to the local housing allowance or Housing Allocations Policy in Policy 58S, nor does it require that registered providers are not for profit. In these regards I accept that, should the affordable housing provisions of the UU be acceptable in other regards, it is possible that the agreement of more specific provisions could be achieved through the negotiation of an AHS.
38. On this matter I conclude that the UU as presented does not make adequate provision for affordable housing on the site. In this regard there is conflict with the requirements of Policy 58S. Additionally, there is conflict with Local Plan Policy 86S which sets out the need for new development to contribute to the delivery of infrastructure in order to mitigate its impact, through site specific planning obligations and /or Community Infrastructure Levy payments.

Access to services and facilities

39. I have noted that Great Barford is regarded as a KSC with a good range of services and facilities. The issue between the parties is whether the site is well located in relation to sustainable modes of transport, and local services and facilities. Specifically, concerns about pedestrian access are raised by the Council, both in relation to walking distances and also safe pedestrian movement. I consider the latter point more fully in the next section.
40. Pedestrian access to key services, including the primary school, doctors surgery and bus stop, is available via New Road and Woodpecker Close. The Council estimates that this equates to a walking distance of around 1.2km. The appellants Travel Plan sets out that the distance to the school and surgery is around 1.3km, and the post office is around 1.5km. This would exceed the published guidance on walking distances quoted by the Council, with specific reference to the Manual for Streets (2007) (MfS) suggestion that walkable neighbourhoods are characterised by having a range of facilities within a 10-minute walk, or around 800m.
41. The appellant's Transport Assessment (TA) refers to the Institution of Highways and Transportation guidelines (2000), which sets out that 500m is the desirable

walking distance, with up to 1,000m as an acceptable walking distance, and up to 2,000m as the preferred maximum walking distance. However, the MfS distance parameter represents a middle ground and therefore appears more reasonable and realistic.

42. The Council accepts that the distances to facilities could be reduced by making use of the proposed pedestrian access onto Addingtons Road, with measures proposed to improve the safety of the associated crossing over High Street. However, concerns are raised about the safety of these provisions, which are considered further below.
43. Local Plan Policy 87 makes specific reference to the need for dedicated public transport provision where development sites are not currently connected to the public transport network. Where there is an existing bus service, every dwelling should normally be within 400m walking distance of a bus stop. In this case the nearest bus stop is located on the southern side of High Street, which the Council estimates is approximately 650m from the proposed site access. The appellant suggests that this distance is actually 505m, when using Addingtons Road, and that a walking distance of up to 800m to a bus stop is reasonable in rural areas.
44. In general terms the settlement represents a sustainable location in terms of the provision of a of range services and facilities. However, the location of the site in relation to the settlement is less than ideal, as it is beyond what are generally regarded as reasonable walking distances to most key services. In this sense there would be some conflict with Local Plan policies 29, 53 and NP Policy D1 which, taken together, require development to be well located in relation to services and facilities, promoting accessibility and permeability on foot, cycle or public transport. However, in the circumstances of this case, should the development be acceptable in other regards, such considerations would not be sufficient to warrant refusing the application, and would therefore need to be considered as part of the overall planning balance.

Highway safety

45. The Council raise a range of highway safety concerns in relation to the location of the site access and the effect of the proposed development on the wider area.
46. The site access would be positioned part way along the long straight section of New Road which currently has a speed reduction from the national speed limit to 30pmh when entering the settlement. The Council's concerns are that the appellants proposed extension of the existing 30mph speed limit further north beyond the site access, along with speed reduction measures, would be inadequate to ensure speeds are sufficiently reduced. They note the significant forward visibility along New Road, and the fact that the proposals would have no impact on the width or straightness of this road. Specifically, they set out that whilst the measures proposed would be acceptable elements of a gateway feature and would help to highlight the start of a speed limit, they are more akin to a 40mph gateway feature and so would not cause a reduction in speed to 30mph.
47. The appellants TA provides evidence that the current 85th percentile speeds at the site frontage are considerably below the national speed limit at 45.5mph northbound and 43.1 mph southbound. Average speeds are 36.8mph and 34.9mph. The appellants evidence also indicates that at the site access adequate visibility splays could be achieved for a vehicle travelling southbound towards the

site at 60mph. The appellant also sets out that similar gateway features are in operation and have been accepted for 30/60mph transitions elsewhere.

48. The Council notes that the TA survey was at the centre of the site frontage and therefore raises concerns about the lack of evidence that the current signage and road markings at the start of the existing 30mph speed limit are sufficient or effective in achieving 30mph speeds. However, noting that the current signage and road markings are associated with the built form of the village, it is probable that speeds here are less than those identified in the TA for south bound traffic. Whilst the indicative masterplan suggests that the proposed dwellings would be set back from the road frontage, the development of the site and its associated infrastructure including footways and lighting, would indicate the extension of the settlement edge further north, further supporting reductions in vehicle speeds.
49. It is clear that this aspect of the proposal has been closely examined by the parties, with the Council making alternative suggestions, including diverting the New Road traffic to meander through the site. However, overall, noting the significant degree of forward visibility and the reasonable effectiveness of the current gateway measures, this aspect of the proposal would not cause unacceptable impacts on highway safety.
50. The Council also set out that the absence of a continuous footway along New Road between the appeal site and High Street would fail to provide safe access for pedestrians. The proposals include a 2m footway from the site access to the south of the junction with Woodpecker Close, though this would not extend to connect with the footway further south which provides pedestrian access to the Anchor Inn and Church by the junction of New Road with High Street. Nor would it connect with public footpaths leading south, including to the village of Willington.
51. However, noting that pedestrian access to the settlement centre and most services is possible via footpath 5 extending from Woodpecker Close, and my conclusions on the previous issue, overall a moderate degree of pedestrian accessibility would be possible from New Road. Further, more direct pedestrian and cycle access into the settlement would also be provided from the site exit onto Addingtons Road.
52. Whilst the Council raises concerns about how the 2m footway width on New Road would be achieved and maintained, this aspect of the proposals would be the subject of further work, should the scheme be acceptable in other regards.
53. The Council also sets out that the application fails to provide adequate mitigation to address the increase in traffic from the development along High Street, referring specifically to including a lack of measures to improve visibility at its junction with Addingtons Road.
54. On this point the Council sets out that the pedestrian/cycle link from the site onto Addingtons Road would allow access to the centre of the village and to the school, via the most direct and shortest route. However, at the crossing of High Street from its junction with Addingtons Road, there is a lack of visibility due to the bend in the road and the positioning of buildings. The likely increase in traffic along High Street is also noted.
55. In response, the appellant has proposed traffic calming measures along High Street, including slow markings, bus-friendly speed humps, a junction table, bus markings, and pedestrian crossing points. It is clear that achievable visibility

splays at the Addingtons Road junction with High Street are restricted, though noting that other speed reduction measures would be introduced along High Street, it is probable that speeds approaching this junction would be reduced.

56. The Council raises further concerns regarding the proposed provision of a raised junction table in terms of its effectiveness in reducing speeds and also its safety and feasibility. Concerns are also raised about the effects of these measures on the historic environment, noting that High Street is within the Great Barford Conservation Area (CA) and also forms the setting of a number of listed buildings. This is therefore a sensitive environment and such traffic calming measures need to be carefully considered. Statutory requirements relating to the need to preserve and enhance conservation areas and to give special regard to the desirability of preserving the settings of listed buildings must be met.
57. At this point it is not possible to clarify the specific impacts, given the limited information provided in relation to design and materials. Therefore, should the proposals be acceptable in other regards, this aspect of the scheme, including concerns regarding the safety and feasibility of the proposals, would need to be the subject of more detailed consideration and assessment, alongside the published guidance on this matter.
58. The Council also makes reference to the unsafe desire line crossing over High Street from footpath 5 to footpath A6. However, this has been considered in the appellants traffic calming measures with the inclusion of a dropped kerb crossing point.
59. The Council raises wider concerns about the lack of direct connection between the site and Roxton Road, connecting with the A421 to Bedford. In this regard traffic from the site would route via either High Street or Bedford Road. If traffic calming measures were in place along High Street, this route is likely to be less attractive and therefore drivers may be drawn to the latter route.
60. Whilst the Council's reason for refusing the application also refers to visibility concerns relating to the Roxton Road/Bedford Road/Green End Road junction, it is accepted that these concerns have been overcome by the additional information provided by the appellant at appeal stage.
61. Summing up on this issue, highway safety matters have been the subject of careful consideration, though have not been fully resolved, noting particularly the need to carefully manage the increase in traffic in the settlement alongside the sensitivity of the historic environment in the centre of the settlement.
62. The National Planning Policy Framework at paragraph 116 sets out that development should only be refused on highway grounds where there would be unacceptable impacts on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe. Following consideration of the evidence, it does not appear that this would be the case in relation to this proposed development. Furthermore, the proposals include measures that would meet the Local Plan Policy 29 requirement that development should promote accessibility and permeability for all by creating safe and welcoming places that connect with each other.
63. More specifically, subject to more detailed consideration and agreement of provisions relating to the safety of New Road and High Street, the requirements of

Local Plan Policy 31 relating to access provisions for all members of the community, including pedestrians, cyclists and people with disabilities would be met.

64. I therefore conclude that, in terms of local and national policy provisions and subject to detailed matters being resolved, the proposed development could provide for an appropriate environment in terms of both the effects on the local highway network and for pedestrian and cyclist safety.

Other Matters

Heritage assessment

65. All Saints Church, a Grade II* listed building, mostly dating from the 19th century, though retaining some 15th century work, is located some 400m to the south of the appeal site. Its 15th century western tower is a prominent feature locally. In the Church's immediate setting are the 15th century Barford Bridge, a scheduled monument, and several listed buildings, reinforcing its communal value during the development of the settlement. This part of the eastern extent of Great Barford has retained a sense of spaciousness, with built form at low density complemented by green and open spaces, opening out to the River to the east. This contributes to the heritage significance of the Church by enabling an appreciation of its historic and evidential values.
66. The site does not form part of the immediate setting of the Church, and at the time of my site visit when the trees were in leaf it was not visible from the churchyard. However, the upper parts of its western tower are visible above the trees in views from New Road adjacent to the appeal site, as part of its wider setting. This rural context also contributes to the special interest and significance of the Church's setting. In these views, the fact that development relating to Woodpecker Close is set back from the road frontage provides some sense of the Church being associated with a rural settlement. That said, this is much less so than the distinctly rural eastern and southern approaches into the settlement. Overall I agree with the Council's assessment that the lack of clear intervisibility with the Church means that the appeal site makes a very minor contribution to the significance of its setting.
67. The effect of the proposed development would be to alter the rural context of the Church. The indicative master plan suggests that the development would be set back from the New Road frontage such that the current views of the upper part of the Church tower would be unlikely to be significantly altered. Whilst there would be a greater sense of the built form of the development encroaching into the periphery of these views, this would represent a minor change to this setting. As a result I agree with the parties that this would represent less than substantial harm at the lowest end of the spectrum of harm.
68. Brook House is a Grade II listed building located around 40m to the west of the appeal site, adjacent to Addingtons Road. Dating from the mid-19th century, this is a classically designed building set within formal gardens which would have represented a high status residence. Whilst originally Brook House had a rural setting, this has been altered with the growth of the settlement.
69. The property is set back from the road and there is little visibility of Brook House from outside its gardens due to strong boundary features. It appears that this

property was designed to be appreciated from its gardens at close quarters. Its wider setting therefore makes only a minor contribution to significance.

70. In these circumstances the appeal site makes a negligible contribution to the significance of the setting of Brook House. The development of the site would represent a further reduction in the wider rural setting of this designated heritage asset. However, the indicative plan suggests that it would be set well back from the Addingtons Road frontage, meaning that there would be unlikely to be any impact on this setting. Therefore, its significance would be preserved.
71. The western extent of the appeal site also borders the Great Barford CA. The CA is centred on High Street, extending to the southeast to include the open area around the River. The significance of the CA relates to the diversity of its evolved built form, with a high proportion of listed buildings. Its significance also relates to its wider rural setting, visible more directly to the southwest, with housing development to the northeast limiting awareness of the rural context beyond.
72. The appeal site is within this setting as it forms part of the rural approach to the CA's south eastern section along New Road. Nonetheless in overall terms there is limited awareness of the site in the context of the CA, such that its contribution to setting and therefore significance is limited.
73. The effect of introducing built form to the appeal site would be to erode the wider rural setting of the CA though, noting its limited contribution, the result would be less than substantial harm at the lower end of the spectrum.
74. The appeal site is also part of the immediate setting of Brook Cottage, acknowledged by the parties as a non-designated heritage asset, which is directly adjacent to the site. Brook Cottage is a timber framed workers cottage thought to date from the 18th Century. It has been remodelled and extended in the 20th Century, meaning that its heritage interest and significance has been compromised. The appeal site makes a positive contribution to the rural setting of this Cottage. The development would have an impact on the tranquillity and openness of this setting, moderated to a degree by the suggestion that there would be open space to its immediate rear. The result would be minor to moderate harm to the setting of Brook Cottage.
75. When considering the impact of a development on the significance of designated heritage assets, great weight should be given to the asset's conservation, the more important the asset, the greater the weight should be. Where there is found to be less than substantial harm, as is the case here, then the Framework requires that this harm should be weighed against the public benefits of the proposal.
76. In relation to non-designated heritage assets, the Framework sets out that where development would have a direct or indirect affect, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. I return to these matters in the planning balance.

Planning Obligation

77. In addition to affordable housing, the submitted UU refers to a range of other obligations. It includes reference to highway works and commits to not implementing the development until after the necessary highway agreements have been entered into. Whilst the Council raises concerns regarding the versions of

the plan references given in the UU, should this development be acceptable in all other regards, this matter could be resolved.

78. The UU includes a range of other obligations relating to financial contributions towards meeting the need for additional facilities and services arising from the development. In line with Regulation 122 of the Community Infrastructure Levy Regulations 2010, and the tests for planning obligations set out in the Framework, consideration must be given to whether these provisions are necessary, related directly to the development and fairly related to the development in scale and kind.
79. The healthcare contribution of £366,390 would be towards the relocation of public healthcare facilities at the Great Barford Surgery. This equates to more than the £1,791 per dwelling that the Council seeks for NHS contributions, as referenced in the officer report. It is not clear how this larger figure has been derived by the appellant. The Council suggests that with the inclusion of this contribution, the impact of the development on general medical services would be deemed to have been mitigated, and that this reason for refusing the application has been addressed. However, this level of contribution cannot be said to be fairly related in scale and kind to the development and so it would not be lawful to take the additional sum into account as a reason for granting planning permission.
80. The UU makes contributions towards primary, secondary and special educational needs and disability (SEND) provision. I have noted that, as a result, the Council's position is that the impact of the development on education provision would be deemed to have been mitigated, and this reason for refusing the planning application therefore addressed. However, the basis of the sums provided, and therefore the question of whether the statutory tests have been met, is not clear.
81. The UU also includes a contribution of a maximum of £50,000 towards the provision or improvement of a cycle/footpath link through the site. The Council refers to the need for this provision, though its policy basis, and therefore whether it would meet the statutory tests, is not clear.
82. The contribution towards off-site outdoor space is not defined. The Council's Open Space Supplementary Planning Document (SDP) sets out the basis for such contributions being the number of bedrooms per dwelling, which at this stage is unknown. However, the SPD is not referred to within the UU as the mechanism by which this sum would be agreed.
83. Finally, there is a waste and recycling contribution of £38,500 for the provision or improvement of waste/recycling bins and site collection infrastructure. However, again, the policy basis for this provision is not clear.
84. I have identified some concerns about the policy basis for, and execution of, some of these financial obligations. I cannot, therefore, be certain that they pass the statutory tests. However, I am dismissing the appeal for other reasons. I have not, therefore, pursued these points with the parties.

Matters raised by interested parties

85. Interested parties have raised a range of other matters including concerns about the character of the proposed development, traffic generation, parking issues and the need to manage traffic control measures alongside HGV use. Also, the effects on local wildlife, water supply and flood risk matters are raised, as is concern

about inadequate drainage, sewerage and other local infrastructure. Concerns about the privacy of existing residents and the effects of noise on future residents are also referred to. However, as I am dismissing the appeal for other reasons, it is not necessary for me to consider these other matters in any detail.

Planning Balance

86. The Framework sets out the presumption in favour of sustainable development. Specifically, paragraph 11(d) sets out that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (including where a 5 year housing land supply cannot be demonstrated), permission should be granted unless one of two exceptions apply.
87. The first, paragraph 11(d)(i) is that the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development. I have identified low level less than substantial harm to the setting of the Church and low level less than substantial harm to the setting of the CA, both of which are designated heritage assets. However, the Council's position is that this heritage harm would not outweigh the benefits of the proposal. I have no reason to take a different view, noting that the benefits associated with the delivery of housing alone would be substantial and sufficient to outweigh the level of harm identified.
88. The second exception a paragraph 11(d)(ii) refers to situations in which any adverse impacts of allowing the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. It is common ground that a 5 year housing land supply cannot be demonstrated, with the Council's review of their 5 year supply of deliverable housing sites published in January 2025 referring to this currently being 3.46 years. This is therefore significantly below the 5 year requirement.
89. The provisions of the Framework paragraph 14, relating to situations in which housing applications are being considered and a neighbourhood plan is in place, are also relevant. This sets out that where the presumption at paragraph 11(d) applies, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits subject to two conditions.
90. The first condition is that the neighbourhood plan should have become part of the development plan five years or less before the date on which the decision is made, which is the case here. The second is that the neighbourhood plan contains policies and allocations to meet its identified housing requirement. On the face of it this requirement is also met. This is the Council's position. More generally, the Council assert that, in setting out a clear strategy for accommodating objectively assessed need, the Local Plan policies are in general accordance with the Framework.
91. However, the circumstances currently faced by the Council must be considered. When the Local Plan was adopted in 2020 the appellants evidence sets out that this was on the basis of an early review, with a commitment to an updated plan

being submitted for examination within 3 years. Whilst an updated plan has been submitted for examination, this appears to have faltered, with the examining inspectors recommending that it be withdrawn. This suggests there to be a vacuum, with a plan led solution to the identification of sufficient land for housing to meet identified needs unlikely to be found anytime soon.

92. Furthermore, the Council's review of supply estimates that the site in Great Barford allocated for 500 homes will deliver 75 homes from this allocation over the current five year period (2024/25 to 2028/29). This contribution to supply is therefore significantly below that anticipated by Local Plan Policy 4S.
93. In these circumstances the approach adopted by the Inspector recently dealing with another site in Great Barford is pragmatic and reasonable.¹ Whilst this scheme relates to self-build and custom housebuilding, the Inspector refers to the fact that the spatial strategy is not leading to the granting of enough suitable permissions to maintain a 5 year supply of deliverable housing land. They conclude that the presumption in favour of sustainable development should apply.
94. Turning to the matters to be considered in the balance. Firstly, I have identified conflict with the Council's spatial strategy, as set out in Local Plan policies 3S, 4S and 7S. However, the current housing supply situation, combined with the fact that the review of the Local Plan is currently unclear, mean that policies relating to the spatial strategy and the delivery of housing cannot carry full weight. More specifically, sites such as the appeal site, whilst falling outside of the plan making process, are required to support the delivery of housing in the district. The fact that the site is reasonably well related to Great Barford, which is identified as a KSC for the local community, is also relevant. In these circumstances the conflict with policies 3S, 4S and 7S is afforded moderate weight.
95. The development would also have a moderately harmful effect on the character and appearance of the area in terms of Local Plan policies 28S, 37 and NP Policy NE1. As these policies are in general accordance with the Framework such conflict can also be afforded moderate weight.
96. I have also found that the location of the site in relation to the settlement is less than ideal, as it is beyond reasonable walking distances to most key services. In this sense there would be some conflict with Local Plan policies 29, 53 and NP Policy D1. However, I noted that should the development be acceptable in other regards, such considerations would not be sufficient to warrant refusing the application.
97. There would also be low level less than substantial harm to the Grade II* listed Church and the CA, as well as minor to moderate harm to a non-designated heritage asset. Noting the Framework requirement that the conservation of designated heritage assets should be given great weight, such considerations must therefore also be factored into the balance. A balanced judgement is required in relation to non-designated heritage assets.
98. Set against this would be the benefits of the proposal. The provision of up to 180 new homes would assist with addressing the current housing supply shortfall and as such should be given significant weight in the planning balance. Whilst the provision of affordable housing would have also attracted significant weight, the

¹ APP/K0235/W/24/3349671

failure to provide enforceable provision in the UU means that this aspect of the proposal cannot be given beneficial weight in the balance. Further, in light of this, the requirements of Local Plan policies 58S and 86S have not been met.

99. There would be economic benefits in terms of the creation of construction jobs and a boost to local spending which can be afforded moderate weight. The appellant also refers to benefits from infrastructure contributions. However, notwithstanding the issues I have identified with the policy basis for some of these obligations, they are required to make the development policy compliant and therefore acceptable in planning terms and so would not themselves carry beneficial weight.
100. Some minor to moderate benefits can be attached to the provision of public open space and the footpath connection to Addingtons Road, noting that at this stage the details of these aspects of the proposal are not clear. Similarly details of the delivery of the proposed biodiversity net gain are not clear, though this is a statutory requirement that could be resolved at reserved matters stage. The parties agree that this can be afforded moderate weight, I have no reason to take a different view.
101. The appellant also refers to design quality and delivery of a sustainable, integrated development as attracting moderate weight. However, given the outline nature of this scheme and the issues I have identified in terms of the spatial strategy and local character and appearance, there is no evidence that this would be the case.

The overall balance

102. As a starting point I have set out that the presumption in favour of sustainable development should apply in this case. I have found that the weight to be attached to up to 180 new homes is significant, and I have also identified a number of other moderate benefits to the local economy and environment.
103. Set against this, notwithstanding the fact that the current spatial strategy does not carry full weight, there would be conflict with relevant policies. There would also be some heritage harm and also harm to local character and appearance. Of significance is the fact that the submitted UU would fail to secure a policy compliant level of affordable housing.
104. On the overall balance I conclude that the adverse impacts of the development would significantly and demonstrably outweigh the benefits. There are no material considerations that suggest the decision should be taken other than in accordance with the development plan.

Conclusion

105. For these reasons the appeal is dismissed.

AJ Mageean

INSPECTOR