



Appeal Decision

Site visit made on 3 December 2025

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2025

Appeal Ref: APP/P0240/W/25/3365071

Land to the rear of 16 to 36 Northill Road Ickwell, Ickwell, Bedfordshire, SG18 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 Alan Irwin (Northill Developments) against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/01182/FULL.
 - The development proposed is Construct four M4(3) Category 3 Wheelchair user Bungalows.
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Decision

1. The appeal is dismissed.

Main Issues

2. The Council have confirmed that the evidence submitted with the appeal has overcome the sixth reason for refusal relating to odour. Therefore, the main issues in this appeal are:
 - whether the site represents an appropriate location for the proposed development, having regard to the Councils spatial strategy and access to services and facilities;
 - the impact of the development on the character and appearance of the area;
 - whether the development would be at risk from flooding;
 - the effect of the development on protected species; and
 - the effect of the development on highway safety.

Reasons

Spatial Strategy

3. The site is located outside of the settlement boundary of Ickwell, where Policy SP7 of the Central Bedfordshire Local Plan (LP) sets out the Council will recognise the intrinsic character and beauty of the countryside and only particular types of development will be permitted. The proposed development does not accord with those exceptions.

4. The Northill Parish Neighbourhood Plan (NPNP) sets out within policy NP1 two allocated sites for development and supports schemes of up to 10 dwellings within settlement envelopes. Therefore, the proposal does not find support from the NPNP.
5. The proposal therefore conflicts with Policy SP7 of the LP and Policy NP1 of the NPNP.

Access to services and facilities

6. Policy SP7 provides a settlement hierarchy where Ickwell is defined as a small village, containing few services and facilities and are limited in their availability of public transport links.
7. A previous Inspector in considering the development of the appeal site¹ as part of a larger site, set out that there were no services, other than a pre-school, within the village of Ickwell and that residents would be required to travel in order to access services and that the bus services were limited.
8. The appellant has submitted a sustainability review, identifying a number of planning permissions granted in neighbouring Northill and within Ickwell. A number of these decisions predate the current Local Plan, and some were considered at a time when the Council could not demonstrate a five year housing land supply. However, it demonstrates that there have been conflicting approaches to how the village is considered in terms of sustainability and therefore I have come to my own view based on the circumstances of the case before me.
9. I consider that occupiers of the proposed development would inevitably have to travel onwards to the services and facilities within the nearby towns of Bedford to access shopping, healthcare, leisure and entertainment facilities.
10. According to the evidence before me the village is served by two bus routes which provide access to Bedford, Hitchin, Biggleswade and Cambridge. Whilst this would be an available alternative to the private car, given the frequency of the bus service and the lack of service in the evening, it leads to uncertainty that it would be a realistic substitute to the convenience of a private car.
11. Therefore, I consider that the site has limited access to services, facilities and amenities and having regard to the lack of a regular bus service means occupiers are likely to prefer the convenience of a private car.
12. It is for these reasons that Ickwell and Northill are identified as being within the lowest tier of Central Bedfordshire's settlement strategy where the primary objective is to protect it from isolated and/or large scales of development.
13. Furthermore, policies T1 and HQ1 of the LP set out that proposals for new development should demonstrate how the proposal will seek to reduce the need to travel and secure a modal shift towards sustainable forms of transport.

¹ APP/P0240/W/22/3305018

14. Paragraph 83 of the National Planning Policy Framework (the Framework) promotes sustainable development in rural areas, through locating housing where it will enhance or maintain the vitality of rural communities. It recognises that groups of smaller settlements may support services in a village nearby. However, in this instance there are limited services in neighbouring villages and any travel would be to the larger nearby towns.
15. The proposal is therefore in conflict with policies SP7, HQ1 and T1 of the Local Plan. In addition to the conflict with the development plan, there would be minor negative environmental and social effects arising from the location in terms of the use of natural resources and the accessibility of local services. This is an adverse matter to which I afford moderate weight.

Character and appearance

16. The site forms part of an open paddock landscape that contributes to the rural setting of the village. The proposed development would result in the loss of the undeveloped and open character of the site, which contributes positively to the rural settlement edge of the village.
17. Whilst the proposal is smaller than that considered by the previous Inspector and as such would not be visible from the same viewpoints, the proposal would inevitably extend built form into the countryside and erode the informal rural character of the site.
18. Policy EE5 of the LP sets out that in order to safeguard intrinsic character, scenic beauty and perceptual qualities of the landscape, all development proposals will have regard to the key characteristics and sensitivities of the site and its setting, as set out in the Central Bedfordshire Landscape Character Assessment. The site lies within the Mid Greensand Ridge (6B) Landscape Character Area, where the guidelines for development include monitoring linear development and the infill of villages in order to prevent further settlement coalescence and loss of individual village identity.
19. Furthermore, Policy NP6 of the NPNP requires proposal to contribute positively to the existing character of the village.
20. The proposal would place development to the rear of the existing houses which front Northill Road and currently present a strong linear pattern of development. As such the development would fail to reflect the prevailing settlement pattern. Whilst it has been put to me that the development would not be visible from Northill Road, intrinsic character is not solely related to visibility, but relates also to how the development would sit in the context of the rural edge. Furthermore, glimpsed views would be possible from the existing access, and more widely from the Public Right of Way which is adjacent to the site.
21. As part of my site visit, I was able to see other examples of development which has been permitted in the locality and has been referenced by the appellant within their evidence. However, these examples are predominately located within the colocated village of Northill, which does not exhibit the strong linear form of development associated with Ickwell Green. Furthermore, the example cited from within Ickwell Green included the conversion of existing buildings alongside an element of new build and as such the circumstances may not have been the same as the scheme before me.

22. All these factors indicate that the proposal would result in an urban form of development that is out of character with the rural setting of this part of Northill Road and would be out of place and harmful to the character and appearance of the area.
23. The proposal conflicts with policies HQ1, HQ8 and EE5 of the LP in this regard. Together these policies require development to demonstrate that it respects and responds positively to the character and appearance of the area, its context and its surroundings. Furthermore, policy HQ8 sets out that proposals for 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.
24. I have not found conflict with policy DC4 which relates to the construction of new stables as I do not consider that element of the proposal would conflict with the character and appearance of the area, as stable buildings associated with paddocks are commonly found on the rural edge of settlements.

Protected Species

25. Paragraph 99 of Circular 06/2005 states that the presence of a protected species is a material consideration when a development proposal is being considered which would be likely to result in harm to the species or its habitat. It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before any planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.
26. Paragraph 193 a) of the Framework advises that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less than harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
27. The appellant's ecological appraisal sets out that the site provides low potential for Great Crested Newts (GCN) because it consists of suboptimal habitat and experiences high levels of disturbance. However, the site is within a red zone under the NatureSpace District Level Licensing scheme for Central Bedfordshire, which indicates that the surrounding area is considered highly suitable and important for GCN populations.
28. There are two ponds within 250m of the site, and the site is adjacent to woodland with connectivity via hedgerow corridors, meaning commuting individuals could be present. Biological records show recent GCN records reinforcing the potential presence in the wider landscape.
29. The report concludes that no further survey is necessary for GCN, but if features like the compost heap or similar habitat are removed, a qualified ecologist should supervise a destructive search. However, given the site's position within a NatureSpace red zone, nearby ponds, and confirmed GCN records, it is appropriate and necessary for the development to be subject to Central Bedfordshire Council's District Licence provided by NatureSpace.

30. The appellant has indicated that they are content to agree to acquire a district licence, however I have not been provided with any evidence to demonstrate that a licence has been applied for or would be granted in connection with this application. In the absence of this there is a lack of certainty and that GCN mitigation will be secured.
31. The required license cannot lawfully be secured by condition and this information is required prior to making a decision, in order that I can be satisfied that the development would not have a harmful effect on protected species. This accords with the Natural England Standing Advice for protected species and development, which sets out that you need to consider the full impact of the development proposal on protected species before granting planning permission.
32. In conclusion, in the absence of sufficient evidence to the contrary, the proposals would potentially cause unacceptable harm to protected species. This would be contrary to Policy EE2 and EE3 of the LP. For similar reasons, the proposal would not accord with the Framework, including paragraphs 187 and 193.

Flooding

33. The Framework and the Planning Practice Guidance (PPG) indicate that residential development should be directed to areas of lowest flood risk. The use of a site for the intended residential use is classified as a more vulnerable development as defined within the PPG.
34. Based on the flood risk assessment prepared by GeoSmart Information Ltd, the proposed access road is located along the north-western boundary of the site. The site is predominantly in Flood Zone 1, but parts of the site fall within Flood Zones 2 and 3.
35. The access road is situated in part of the area where surface water flooding risk exists and where fluvial flood risk ranges from Low to High. The Environment Agency's mapping and model data indicate that the northwest boundary (including the access road) is within the floodplain extent for the 1 in 100 year plus climate change scenario, with shallow flood depths anticipated.
36. The flood risk assessment confirms that as the Site is partially located within Flood Zone 3a and the proposed development is defined as More Vulnerable; the proposals are acceptable, but may be subject to the sequential and exceptions test.
37. Paragraph 168 of the NPPF states that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.

38. The Framework now sets an exception “in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)”. It is relevant to note that the changes to the Framework mean that a Sequential Test should only be applied when any part of the developed area of the site is at risk of flooding. This includes all built form including gardens and site access and egress arrangements.
39. The PPG sets out that a sequential test will not be required where the site is in an area at low risk from all sources of flooding, unless the Strategic Flood Risk Assessment, or other information, indicates there may be a risk of flooding in the future. Based on the evidence before me the appellant’s flood risk assessment confirms that parts of the site, including the access, might be at risk of flooding in the future, if mitigation is not provided, and therefore this is other information which would appear to trigger the need for a sequential test.
40. The PPG goes on to explain that avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures like flood defences, flood warnings and property level resilience features. Even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the sequential test still needs to be satisfied. Based on the information before me the need for a sequential test cannot be ruled out.
41. In the absence of a sequential test, the proposed development is in conflict with the sequential approach in the Framework, and therefore it is not necessary for me to consider any flood mitigation proposals. It is only if the appellant could demonstrate that there are no reasonably available sites in Flood Zone 1 that I would go on to consider any mitigation as part of the exception test.
42. The development would therefore conflict with LP Policy CC3 and NPNP policy NP8 which together require development to be located to minimise the risk of flooding.

Highway Safety

43. As part of the appeal, the appellant has submitted additional evidence, including a revised site layout and a Transport, Parking and Access Statement. These confirm that the access would be widened to between 4.8m and 5.5m, which would allow two-way flow and reduce the likelihood of vehicles waiting on the public highway. The evidence also indicates that five existing parking spaces would remain available, albeit outside the application site, and that a further six spaces would be provided within the proposed layout, together with an area for occasional horsebox parking. The access arrangements, including visibility splays, would enable vehicles to enter and leave the site in forward gear.
44. The Council suggests that parking for all 12 DIY livery stables should be provided. It has been put to me that it is unlikely all horse owners would be on site simultaneously and I consider this assumption has some merit given the nature of livery use. In any event, additional parking could be secured by condition if necessary.

45. The Council also highlights the absence of swept-path analysis for larger vehicles, including refuse collection vehicles, fire appliances, and horseboxes, to confirm that they could enter, turn, and leave the site in forward gear without obstruction. Although the amended plan shows a turning head, it does not include comprehensive tracking for an 11.5m refuse vehicle or demonstrate manoeuvrability at internal bends and the site access junction. This limits certainty that the layout would operate safely for all users.
46. The access would function as a shared surface used by vehicles, horses, and pedestrians. I acknowledge that the absence of a segregated footway along the busiest section could increase the potential for conflict, particularly at bends where visibility is restricted. However, given the modest scale of the development and the low level of traffic movements likely to be generated, I consider that the risk of such conflict would be limited. The proposed bends would also moderate vehicle speeds when approaching plots 1–4. Subject to conditions securing appropriate surfacing and visibility, I am satisfied that the access would provide safe and suitable arrangements for all users in accordance with paragraph 111 of the Framework and Policy T2 of the Local Plan.
47. While the appellant's evidence demonstrates improvements to the access arrangements, including adequate width, visibility splays, and additional parking provision, these measures do not overcome the absence of comprehensive swept-path analysis for larger vehicles. Without clear evidence that refuse vehicles, fire appliances, and horseboxes could enter, turn, and leave the site in forward gear without obstruction, I cannot be satisfied that the development would operate safely for all users. Therefore, the proposal fails to demonstrate compliance with Policies T2 and T3 of the Central Bedfordshire Local Plan, Policy NP6 of the NPNP, and paragraph 111 of the Framework.

Planning Balance

48. The Council confirmed in an email dated 4 August 2025 that it can no longer demonstrate a 5 year supply of deliverable housing land, putting its supply at 4.85 years and I have not had any further evidence to indicate that this position has changed and therefore I have dealt with the appeal on this basis.
49. Accordingly, paragraph 11(d) of the Framework is engaged. Whereby planning permission should be granted unless any adverse impacts of doing so 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. Furthermore, whilst I have found conflict with the NPNP I have had regard to the requirements of paragraph 14 of the Framework.
50. The site is of a scale appropriate to the size of the existing settlement and there is no evidence that local infrastructure would be unable to meet the needs of the development. The development would also give rise to some economic benefits during the construction phase and provide support to local services, beyond the settlement of Ickwell.

51. In addition, the delivery of M4(3) wheelchair user bungalows from this development will result in significant social benefits, noting the appellant's evidence regarding the rates of delivery of this type of accommodation within the locality. Therefore, noting the scale of the development proposed, I have attributed significant weight to the delivery of housing in this instance, which would contribute to housing supply in the area and the Framework highlights the contribution small and medium sized sites can make to meeting the housing requirement in the area.
52. The appellant has also set out a number of biodiversity enhancements within its ecological appraisal which could be implemented as part of biodiversity net gain. I have attributed moderate weight to these environmental benefits.
53. However, the identified adverse impacts of the development, the conflict with the development plan, the adverse impacts to the character and appearance of the area, the risks posed from flooding, the lack of certainty regarding the impact on GCN and the impact on highway safety, to which collectively I have afforded considerable weight would significantly and demonstrably outweigh the benefits outlined above.
54. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.

Conclusion

55. For the reasons given above the appeal should be dismissed.

G Pannell

INSPECTOR