



Appeal Decision

Hearing held on 18 March 2026

Site visit made on 18 March 2026

by C Shearing BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 April 2026

Appeal Ref: APP/K0235/W/25/3375088

Milton Parc, Bedford Road, Milton Ernest MK44 1YU

- 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 Chapman of Bedfordia Group Plc against the decision of Bedford Borough Council.
 - The application ref is 23/02615/MAF.
 - The development proposed is change of use from an agricultural building to B2 industrial use and B8 storage use including external alterations and access and junction improvement works.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from an agricultural building to B2 industrial use and B8 storage use including external alterations and access and junction improvement works at Milton Parc, Bedford Road, Milton Ernest MK44 1YU in accordance with the terms of the application, ref 23/02615/MAF, subject to the conditions set out in the schedule below.

Preliminary Matter

2. The description of development used above is taken from the Council's decision notice, since that describes the proposal in its entirety.

Main Issue

3. The main issue is whether the proposal would be suitably located, having regard to the spatial strategy.

Reasons

4. The main parties agree the site is in the countryside for the purposes of assessment against the development plan. Policy 75 of the Bedford Borough Local Plan 2030 (the LP) sets out that new employment development will be supported in the countryside in the circumstances listed. Both main parties agree the proposal falls under point ii. which includes the reuse of existing buildings.
5. Accordingly, the proposal should then be considered against the subsequent criteria v. to x. which the policy states should all be demonstrated. The main parties agree that the only criteria in dispute here is point vi. which requires it to be demonstrated that the proposed use needs to be in the rural area and cannot be located within a Settlement Policy Area or within a designated Small Settlement. The parties agree that all other criteria are either met or not applicable and, based on the evidence, I have no strong reason to reach a different view.

6. I observed the building in question to be used for grain storage. The main parties otherwise agree that the building is surplus to the current farm business requirements and in good condition¹. It is positioned close to other existing buildings and paraphernalia forming part of the wider Milton Parc complex, which form a relatively tight-knit and visually contained group of buildings and structures set among areas of hard surfacing and which share the same access onto Bedford Road.
7. It is the appellant's case that the proposal would be rural diversification, intending to provide an additional source of revenue to the existing rural enterprise. No mechanism is proposed which would link the proposed use to the existing enterprise. However, it is not apparent that this would be necessary here, given the particular circumstances of this site and its position among the established farmstead, facilitating some functional link. Overall, I have no strong reason to doubt that the proposal should be treated as rural diversification.
8. The LP does not expand upon how the need for the development in this location, required by point vi. of Policy 75, should be considered. However, neither does it exclude the reuse of existing buildings, or diversification, from this requirement. Nonetheless, I consider it reasonable to conclude that this particular development would need to be located in this position, and in the rural area, since this is inherent to it being recognised as diversification for the existing rural enterprise. Given the tight-knit nature of this particular rural enterprise and the position of the existing building within its operational land, together with the proposal's role in diversifying it, I am satisfied that this particular employment use would need to be positioned here.
9. In conclusion on the main issue, I find the location of the proposal would comply with the spatial strategy and with Policy 75 of the LP, summarised above.

Other Matters

10. Although it did not form part of the reason for refusal, the Council acknowledge a degree of conflict with Policy 65 of the LP, which provides a list of eleven criteria for the reuse of rural buildings. This conflict is minor, relating solely to the requirement for the proposal to provide an enhancement to its immediate setting. I agree with the Council that the effects of the proposal on its setting would be neutral and the proposal would comply with the other development plan policies relating to the visual effects of development as set out in the Officer's Report. The conflict with Policy 65 would not be significant and I am satisfied that the proposal can be considered compliant with Policy 65 when read as a whole. In turn the proposal would comply with Policy 7S, which provides the overarching approach to development in the countryside.
11. I am conscious of the other arguments put forward by the appellant and which were discussed at length at the hearing, in particular relating to employment needs within the Borough. However, as I have found the proposal to be compliant with the development plan, it is not necessary to reach a conclusion on those matters, since they would not alter the outcome of the appeal.
12. The proposal would align with the policies of the Framework which support sustainable growth and expansion of all types of business in rural areas, including

¹ Statement of Common Ground para 2.5

through conversion of existing buildings, and diversification of agricultural businesses. It is not apparent that the policies of the Framework would amount to a reason to determine the appeal other than in accordance with the development plan.

Conditions

13. The Council have provided a list of suggested conditions which were subject to discussion at the hearing. I have considered these in light of paragraph 57 of the Framework and the Planning Practice Guidance regarding the use of planning conditions.
14. In addition to the time limit condition, I have listed the approved drawings to provide clarity to all parties. Given Policy 43 requires development proposals, without exception, to provide a net increase in biodiversity, some enhancements would also be necessary. I see no strong reason this could not reasonably be achieved here.
15. To ensure highway safety, the proposed alterations to and surrounding the access from the A6 need to be secured. For the same reason, and given the changes in vehicle size and movements set out in the appellant's Transport Assessment (TA), details of lighting and signage around the junction and access also meet the test of necessity. I have removed the suggested requirement for lighting to be operational outside daylight hours, and for these measures to be maintained in perpetuity, since this may not be within the appellant's control. To prevent potential for vehicles to wait on the A6, a restriction is imposed on gates near the access, and I have amended the figure to 50m to comply with the condition recommended by the highways authority.
16. To ensure adequate on site parking and to encourage sustainable travel methods, details of motorcycle and cycle parking are conditioned, and the Council will have the opportunity to assess their adequacy in light of its adopted standards on submission. For the same reason, delivery and retention of the car and HGV parking and waste storage areas is necessary. For visual reasons and to prevent potential vehicle obstructions, a restriction on other open storage is also imposed.
17. I understand the appeal building and operations from other uses from within the complex to be unrestricted by planning conditions and note the seasonal variations reported in the TA. Nonetheless a notable increase in vehicle movements from the site is likely as a result of the proposal. The closest property is the farm manager's house, and I understand the dwelling beyond it is tourist accommodation. Given the distance of the site from Milton Ernest and the existing conditions of the A6 described within the TA, there is not substantive evidence to support that a restriction on the operating hours, or hours of HGV movements, would meet the test of necessity here, particularly given the scale of the units proposed and their setting.
18. Given the existing lighting which I observed, both on the appeal site and wider complex, together with the site's set back from the road and other residential properties, I do not consider a restriction on future lighting would be reasonable or necessary.
19. The Framework is clear that planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so. I

am not convinced that there are circumstances here which would amount to a clear justification to remove those rights.

20. Other conditions have been suggested by the Fire and Rescue Service, including those relating to positions of fire hydrants. I have no reason to doubt that a suitable solution could reasonably be achieved, although there is not evidence before me to suggest this should be relevant to planning, as required by the tests for conditions.

Conclusion

21. The proposal would comply with the development plan and the appeal is allowed.

C Shearing

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos:
54878/13I ('Location Plan')
54878/2I ('Site Plans as Existing')
54878/1B ('Floor Plan and Elevations as Existing')
54878/6O ('Site Plans as Proposed')
54878/11C ('Floor Plan and Elevations as Proposed')
BE5606-2PD-001/E ('Proposed Improvements to the existing Milton Parc Access')
BE5606-2PD-002/A ('Visibility Assessment at Access Junction')
BE5606-2PD-003/F ('Proposed Internal Layout'- with revision G titled 'added bin store and amended layout', dated 13.02.24)
BE5606-2PD-005 ('Bin Store- BBC 11.997m Refuse Vehicle Swept Path Analysis')
- 3) Prior to the first use of the building, biodiversity enhancements shall be installed in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.
- 4) The use of the building shall not commence until the access road and its junction with the A6 has been altered in full accordance with the approved details. There shall be no gate across the access road within 50m of the junction with the A6.
- 5) The use of the building shall not commence until the following have been installed in accordance with details which have first been submitted to, and approved in writing by the Local Planning Authority:
 - a) A scheme of street lighting around the access junction;
 - b) A scheme of priority signage at each end of the single-track section of the access road and advance map-type direction signs for Milton Parc on the A6;
 - c) Details of cycle and motorcycle parking.
- 6) Prior to the use of the building, the car and HGV parking areas, waste and recycling storage areas, shown on the approved plans shall be implemented in full. These shall remain available for these purposes at all times.
- 7) No goods, waste or other materials shall be stored outside the building unless otherwise agreed in writing by the Local Planning Authority.

End of Schedule

APPEARANCES

FOR THE APPELLANT:

Christian Hawley	No5 Chambers
Simon James MRTPI	PLanD
Jon Goodall MRTPI	DLP
Nathan George MRICS	Kirkby Diamond – Assoc Head of Agency
Nick Chapman MRICS	Managing Directory, property Bedfordia Group

FOR THE LOCAL PLANNING AUTHORITY:

Penny Jewitt	Senior Planning Officer, Appeals
Alastair Wren MRTPI	Team Leader, Appeals and Enforcement
Emma Arklay	Principal Planner, Planning Policy

Documents exchanged by hand in the hearing:

- Copy of Policy 3S of the LP
- Signed copy of the Statement of Common Ground
- 'Technical Note 01' Local Highway Authority Response Note by SDD dated June 2024
- Arial photographs of the appeal site