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Mrs R V Crisp
Central Bedfordshire Council
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Chicksands
Shefford
Bedfordshire
SG17 5TQ

Your Ref: CB/13/02290/OUT
Our Ref: APP/P0240/A/13/2208832
Date: 30 April 2014

Dear Mrs Crisp

Town and Country Planning Act 1990
Appeal by Mr & Mrs S Lowe
Site at Land Off Clophill Road, Maulden, Bedford, MK45 2AX

I enclose a copy of our Inspector's decision on the above appeal.

If you have queries or feedback about the decision or the way we handled the appeal, you should submit them using our "Feedback" webpage at <http://www.planningportal.gov.uk/planninginspectoratefeedback>.

If you do not have internet access please write to the Quality Assurance Unit at the address above.

If you would prefer hard copies of our information on the right to challenge and our feedback procedure, please contact our Customer Service Team on 0303 444 5000.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

Yours sincerely

Debbie McGough

COVERDL1



*You can use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is - <http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp>
You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button*



Appeal Decision

Site visit made on 7 April 2014

by **Jonathan Hockley BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 April 2014

Appeal Ref: APP/P0240/A/13/2208832

Land off Clophill Road, Maulden, Bedford, Bedfordshire MK45 2AX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr & Mrs S & R Lowe against the decision of Central Bedfordshire Council.
 - The application Ref CB/13/02290/OUT, dated 25 March 2013, was refused by notice dated 21 August 2013.
 - The development proposed is described as 'outline planning application for a new two storey dwelling house on a site of approximately 0.37ha (0.92ac) on land off Clophill Road, Maulden'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was submitted in outline, with only access to be determined at this stage. I have dealt with the appeal on this basis.
3. The Government's Planning Practice Guidance was published on 6 March 2014. The content of the Guidance has been considered but in the light of the facts of the case the document does not alter my conclusions.

Main Issue

4. The main issue in this case is whether the dwelling proposed would be consistent with the principles of sustainable development having regard to the development plan and the National Planning Policy Framework.

Reasons

5. Policy CS1 of the Central Bedfordshire Local Development Framework Core Strategy and Development Management Policies document (the Core Strategy), adopted November 2009, defines a settlement hierarchy to help inform where development within the area should take place. Policy DM4 seeks to ensure that development proposed within these settlements is restricted to areas inside defined boundaries. The village of Maulden has two such settlement boundaries; one located around 'Maulden (main village)', which is designated as a large village, and one around 'Maulden (Clophill Road)', which is distinguished as a small village.
6. The proposed site lies in between, but outside the defined settlement boundaries for both Maulden (main village) and Maulden (Clophill Road). Both parties are in agreement over this fact. This effectively means that under

policy DM4 and its supporting text, the site lies within the category "countryside" where only dwellings for the essential needs of those employed in agriculture or forestry, or that which re-uses or replaces an existing dwelling will be permitted. The proposed house is not for either of these exceptions and is not a proposal for a replacement dwelling. The proposal is therefore contrary to Policy DM4.

7. Maulden is an attractive village, with the main area of the village sited to the west of the appeal site. The defined Clophill Road area of the village lies to the east, and largely consists of ribbon development along this road. The appeal site forms part of a large field and contains various agricultural buildings. The site would be accessed off Clophill Road. There are houses to the west and south west of the site situated along Silsoe Road, and a few houses on the north of Clophill Road opposite the site. The field, along with one on the north side of Clophill Road, forms a significant and visible gap in development between the two settlement boundaries of the main village and of the Clophill Road part of the village.
8. The appellant considers that the site is a logical rounding off of the settlement and would not materially erode separation between the two distinguished settlements. However, it was clear from my site visit that the site has an agricultural, countryside feel. The various buildings on site add to this feel, and when viewed from the higher ground to the east the site forms part of a visible gap between the two settlement boundaries. Development within this gap would erode this separation.
9. Whilst I note that the settlement boundary of the main village includes the houses to the west and north of the site, to the east is the main area of the field that the site lies within and to the south the boundary does not include land to the rear of No 9 Silsoe Road. I do not consider therefore that the settlement boundary 'wraps around' the site.
10. The appellant also considers that the removal of the existing structures from the site and replacement with a dwelling and associated native planting proposals would represent an environmental improvement weighing in favour of the development. However, I do not consider that the existing buildings detract from the surrounding area. They do not appear incongruous from outside the site, suiting the agricultural feel of the proposed development site. I therefore give this view little weight.
11. I also note the appellant's view that the scale of the site close to the development boundary means that the site can be considered as a modest extension of the settlement boundary and that various paragraphs of the National Planning Policy Framework (the Framework) support the scheme, including the presumption in favour of sustainable development. However, the provision of development boundaries within the Core Strategy aims to ensure that development in settlements is largely restricted within the boundaries, where developments are likely to be more sustainable and have less impact on the character and appearance of the countryside. The proposed site is outside of this area and as such is considered by the development plan to be unsustainable for the development proposed. I am also mindful in this respect of the fact that the defined settlement boundaries form part of the Core Strategy, and hence have been through the various stages of consultation and examination that this entails.

12. I therefore conclude that the proposed development would not be consistent with the principles of sustainable development having regard to the development plan and the National Planning Policy Framework.

Other matters

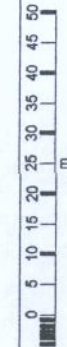
13. The Council consider that the proposed siting of the dwelling would not be in accordance with the character and appearance of the area, and that were residential development to be acceptable then siting towards the Clophill Road would be more appropriate. The appellant considers that siting could be a reserved matter. However, given that I am dismissing the appeal for other reasons I have not considered this matter further.
14. The application was refused on two grounds, the second of which related to the fact that no acceptable legal undertaking was provided. However, I note the unilateral agreement submitted with the appeal providing contributions towards various issues, including education, transport, leisure and health, in accordance with Policy CS2 of the Core Strategy and the Council's Planning Obligation Strategy (2008). However given that I am dismissing the appeal for other reasons I have not considered this matter in any further detail.

Conclusions

15. For the reasons given above, and having regard to all other matters raised, including the letter in support of the scheme from a nearby resident, I conclude that the appeal should be dismissed.

Jon Hockley

INSPECTOR



CB/13/02290

27 JUN 2013

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25 January 2012, ID:
BW1-00123126
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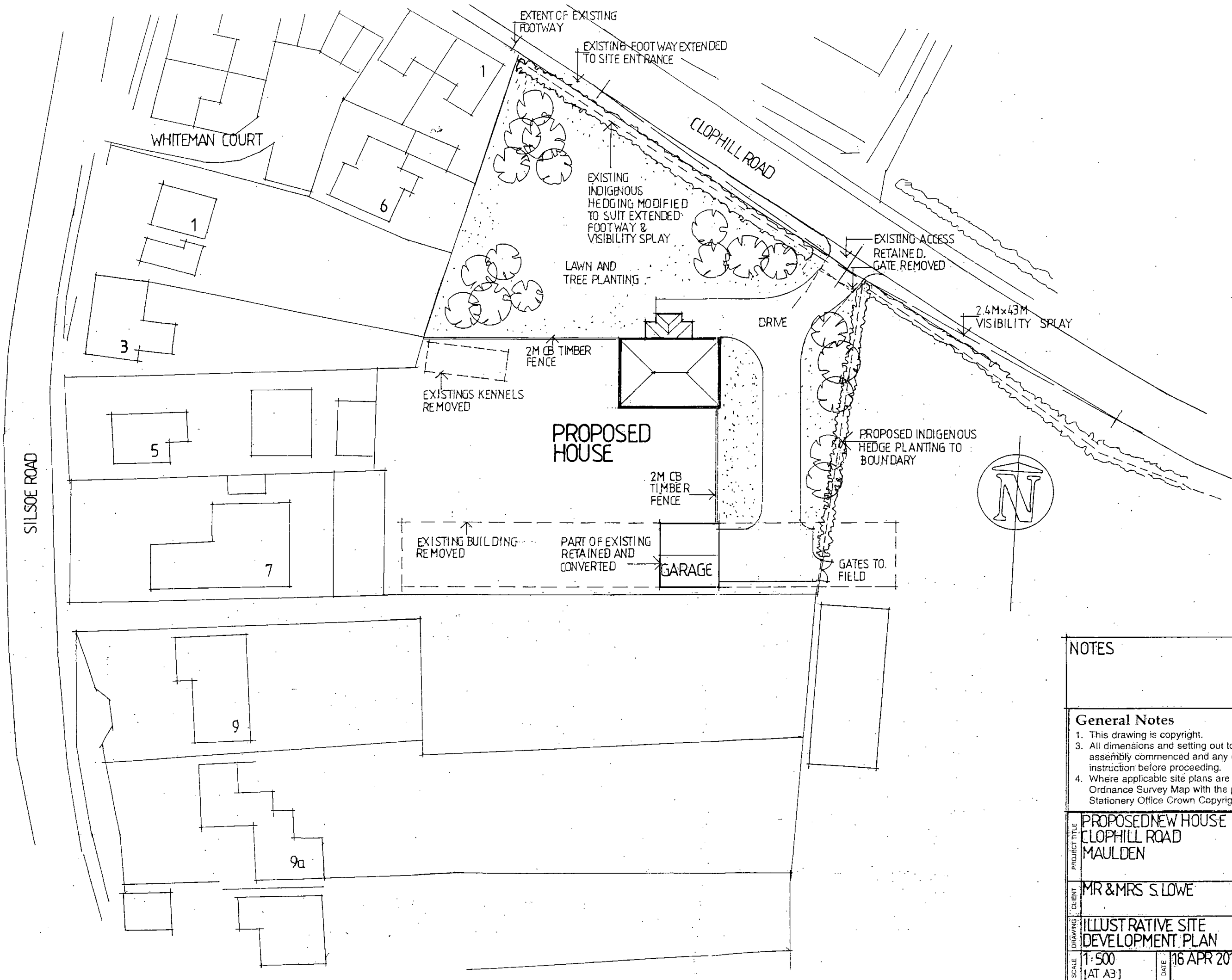
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CB/13/02296



27 JUN 2013

NOTES		REVISIONS A/B5.13 FOOTWAY EXTENSION AND VISIBILITY SPLAYS ADDED HEDGING TO EAST BNDRY.	
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PROJECT TITLE PROPOSED NEW HOUSE CLOPHILL ROAD MAULDEN		PHILIP EVANS ARCHITECT	
CLIENT MR & MRS S. LOWE		Victoria House 31-33 Victoria Street, Kettering Northamptonshire NN16 0BU Telephone: Kettering (01536) 511849 Facsimile: Kettering (01536) 525253	
DRAWING ILLUSTRATIVE SITE DEVELOPMENT PLAN		SCALE 1:500 [AT A3]	
DATE 16 APR 2013		DWG NO 8212906	
		REVISION A	