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## Appeal Decision

Site visit made on 17 March 2026

by **G Bayliss BA (Hons) MA MA MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 26<sup>th</sup> March 2026

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### Appeal Ref: 6002693

### Grass Land to the West of Shillington Road, Meppershall, SG17 5ND

- 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 Alan Irwin, Northhill Developments Ltd, against the decision of Central Bedfordshire Council.
  - The application Ref is CB/25/02814/PIP.
  - The development proposed is Planning in Principle for up to 9 units.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The Planning Practice Guidance advises that permission in principle is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle) establishes whether a site is suitable in-principle, and the second stage (technical details consent) is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of the subsequent technical details consent application if permission in principle is granted. I have determined the appeal accordingly.
4. No plans of the dwellings are required at permission in principle stage. Nevertheless, an illustrative block plan and elevations have been submitted, suggesting low level bungalows. This demonstrates how the site could be developed and I have considered it as indicative only.
5. I have a statutory duty under sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses and to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. Paragraph 202 of the National Planning Policy Framework (the Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.
6. The appellant has provided an updated site plan and location plan suggesting that the red line alongside the highway has been corrected (Ref.LP1 rev C and SP1 rev D). The appellant suggests that these are non-material amendments and do not

require consultation. However, despite both the Council and Highways Authority commenting on these revised plans, given the concerns of the Highway Authority that the gap between the proposed site boundary and the public highway is potentially third-party land, it appears to me that further consultation should be carried out on the revision. Therefore, the procedural test is failed, and I will consider the appeal based on the application plans submitted when the Council made its decision.

## **Main Issues**

7. The main issues are:

- The effect of the proposal on the character and appearance of the area, including the effect on heritage assets; and
- The effect of the proposal on highway safety.

## **Reasons**

### *Character and appearance and heritage significance*

8. The appeal site is a roughly rectangular field lying alongside Shillington Road on the southern side of the village. It is relatively narrow and extends northwards from surrounding countryside towards the village with the church to the north west and a linear arrangement of a few well-spaced dwellings on the opposite side of Shillington Road.
9. The appeal site lies within the Meppershall Conservation Area, a relatively small cluster of historic buildings at the southern extremity of this rural village, grouped around a road junction and including the church, manor house and motte and bailey earthworks. Based on my observations, and the submitted information, for the purposes of this appeal, the character and appearance of the conservation area, and its significance, is mainly drawn from the range of built development within it, the relationship of the buildings to each other and the spaces and land around them. The grouping of the church, manor house and motte and bailey earthworks, on slightly elevated ground, and their relationship with the surrounding landscape are key characteristics of the area. From Shillington Road, the appeal site lies in the foreground of this historic grouping and allows some views of the church and manor house. Closer, more open views are obtained from the public footpath running across the appeal site to the churchyard. As such the appeal site makes a positive contribution to the character and appearance of the area.
10. The Council notes that the appeal site lies within the Upper Gravenhurst – Meppershall Clay Hills Landscape Character Area. From the submitted evidence and what I saw on site, the appeal site and its surrounding context appear representative of this character area, including farmland providing views of historic assets, stone churches on high ground and wide views from churchyards.
11. The Church of St Mary the Virgin (Ref.1312589) is a Grade II\* listed building. The list description mentions that the parish church dates from the 12<sup>th</sup> century and is built in coursed ironstone with ashlar dressings, clay tile roofs and has a central tower. It describes the form and appearance of the building, together with its phasing and explains features of architectural interest. Alongside, the Manor House is a Grade II listed building (Ref.1321779). The list description mentions that the two storey building dates from the 17<sup>th</sup> century and is of timber framed

construction with colour washed plaster infill panels and brickwork with tiled roof. It describes the H-shaped plan and its architectural features. Both buildings share group value.

12. The motte and bailey earthwork is a scheduled monument called 'The Hills'. The list description mentions that these medieval fortifications are some of the most visually impressive monuments of the early post-Conquest period surviving in the modern landscape. It mentions that they are particularly important for the study of Norman Britain and the development of the feudal system. It is described as a well-preserved example with high archaeological potential. The Council also suggest that the appeal site itself contains earthworks and historic field boundaries probably associated with the medieval village of Meppershall (HER5450). As such, these should be regarded as non-designated heritage assets.
13. In relation to the church and scheduled monument, their grading indicates that they are heritage assets of the highest significance. For the purposes of this appeal, the significance of this collection of designated and non-designated heritage assets, derives principally from their age, historic fabric, architectural features, functional relationships and their potential to yield information about past civilisations. Their significance is not limited to what is visible or experienced directly on site but also includes their interrelationships and the contribution made by their wider setting. In this regard, the Council's archaeologist advises that the earthworks on the appeal site together with the adjoining listed buildings and scheduled monument are consistent with a 'Church Manor Complex' including surviving evidence of the medieval manorial system.
14. I have already noted that the historic association between the church and manor house is seen in views from Shillington Road, including close views from the public footpath across the appeal site, and that the appeal site is part of the landscape in which the buildings are viewed and appreciated. Although the scheduled monument is physically and visually detached from the appeal site, nevertheless, it forms part of the collective significance of this historic group. The archaeological evidence on the appeal site elevates the functional and historical links to those assets and thereby its significance.
15. The construction of up to nine dwellings on the appeal site would introduce built form where there is currently none. Irrespective of the intended siting, design and form of the dwellings and their landscaping, development of this open field would result in the urbanisation of the rural landscape and would diminish key characteristics of the landscape character area. The site may be surrounded on three sides by built form, but nonetheless, the settlement form is well defined, and the proposal would harm the transition with the open countryside, as well as its sense of tranquillity. Furthermore, it would permanently remove the essential part that this open, grassy site makes to the setting of the adjoining designated heritage assets, adversely affecting their landscape setting and sense of rural isolation, as well as the way they are appreciated and understood. The roadside hedge may be quite tall but the rooftops of buildings, even bungalows, would be clearly seen, especially during the winter months and more so if the hedge was managed differently in the future. Furthermore, open views would be afforded at the site entrance, as well as through the appeal site itself along the public footpath leading to the church. The development would also be likely to obscure and block key views of the church and other heritage assets, diminishing the ability to appreciate their significance.

16. The proposed development would most likely result in the loss of extant archaeological earthworks on the site. Although it is suggested that further archaeological investigation could be undertaken at the technical details stage, or via conditions, the submitted details do not assure me that the archaeological potential of the site is fully understood at this stage or that the principle of development is acceptable.
17. The proposal would, therefore, represent a permanent, harmful intrusion into the open countryside surrounding the settlement. It would also have an extremely harmful effect on the significance of the conservation area and the contribution that the setting makes to the significance of the church manor complex, including two designated heritage assets of the highest significance.
18. Paragraph 212 of the Framework advises that when considering the impact of proposals on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through development within its setting, and any such harm should have a clear and convincing justification. I find the harm in the context of the significance of the heritage assets, in the language of the Framework, to be at the upper end of less than substantial harm in this instance. This commands considerable importance and weight and is not to be treated as a less than substantial objection to the proposal. The Framework advises that this harm should be weighed against the public benefits of the proposal.
19. The development would provide up to nine dwellings which would add to the overall stock and choice of residential dwellings and support the supply of homes. A boost to housing supply is an important Framework consideration in favour of the development, especially given that the Council is unable to demonstrate a Framework compliant housing land supply. The proposal is also described as providing M4(3) wheelchair adaptable homes which could provide for an expressed need for the disabled and elderly within the area. The dwelling would also be within an established residential area, could free up other larger homes, and there would be some social and economic benefits during construction and occupation, and it would contribute to the vitality of local services. However, considering all these benefits, given the size of the development proposed, these public benefits would be modest in scale, and I attribute them limited weight.
20. The appellant suggests that the surfacing of the footpath would provide access for those with limited mobility and a less muddy route to the church. However, the existing footpath provides an attractive rural route across the field, and it is not considered that its surfacing would be of any particular benefit given existing routes to the church.
21. Given the above, I conclude that the overall limited weight that I attribute to the public benefits would be insufficient to outweigh the level of harm to the designated heritage assets, which collectively I consider to be significant and to which I attach great weight. As such, the proposal would not comply with the Act and the Framework. In addition, there is no clear and convincing justification for the harm to the significance of the designated heritage assets. Furthermore, I have found harm to the character and appearance of the wider area and harm to a non-designated heritage asset. Consequently, the proposal would not comply with Policies HE3, HE1, HQ1 and EE5 of the Central Bedfordshire Local Plan (CBLP).

These, amongst other things, seek to underpin national guidance on heritage assets and protect landscape character.

### *Highways*

22. In consulting on the application, the Council's Highways Officer identified that the red line plan did not abut the public highway along the site frontage, and that the gap between the red line plan and the public highway was potentially owned by a third party. It was concluded that the application incorrectly demonstrated the extent of the public highway and that the inaccuracies of the site location plan could not be addressed during the application.
23. Considering the relationship between the appeal site and the public highway and the possibility of land in third party ownership, it is not possible to be certain that the development would provide safe and convenient access in accordance with the Council's highway construction standards and specifications. In particular, I am not assured that matters such as the provision of a footpath to link to an existing footway and required visibility splays could be satisfactorily achieved at the technical details consent stage.
24. Based on the information before me, I am not satisfied that the proposal would not have a harmful effect on highway safety. It would therefore conflict with CBLP Policy T2 and the Framework which seek to ensure that developments provide safe and suitable access.

### *Planning balance*

25. The lack of a Framework compliant housing land supply, suggested by both parties to be just under 5 years, triggers the presumption in favour of development as set out in paragraph 11d) of the Framework. Paragraph 11d)i. indicates that permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed. Footnote 7 identifies designated heritage assets as assets of particular importance.
26. I have found that the harm to the designated heritage assets would not be outweighed by the public benefits, and this provides a strong reason for refusing the development. Consequently, this disengages the presumption in favour of sustainable development as set out in paragraph 11d) and the scheme should be determined under a normal planning balance.
27. I have already summarised above the public benefits, including up to nine additional dwellings which are described as M4(3) wheelchair adaptable homes for the elderly and disabled residents, both important considerations. I have also acknowledged the support to the vitality of the community, including local services and facilities, and the development would provide some construction jobs. Future occupants would also help sustain local businesses.
28. However, the proposal would have a significantly harmful effect on the character and appearance of the area, including designated heritage assets, which should be attributed great weight. I have also found harm arising from highway safety. These matters weigh heavily against the scheme.
29. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate

otherwise. Overall, the cumulative benefits of the proposed development, which include the matters I have highlighted above, are clearly worthwhile but nevertheless overall carry limited weight in favour of the scheme. However, these benefits would not be of sufficient magnitude to outweigh the harm and related policy conflicts that I have identified. That harm would be very significant and permanent and such that the scheme would not be in accordance with the development plan when considered as a whole.

### **Conclusion**

30. For the above reasons, and having taken all other matters raised into account, there are no material considerations that indicate that the proposal should be determined otherwise than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

*G Bayliss*

INSPECTOR