
Appeal Decision

Site visit made on 9 March 2021

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 March 2021

Appeal Ref: APP/K0235/W/20/3264062

6 Duck End Lane, Wilstead, Bedford, MK45 3HP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mrs Wendy Rust against Bedford Borough Council.
 - The application Ref 20/01377/FUL, is dated 29 June 2020.
 - The development proposed is the erection of a wooden summerhouse on a concrete base.
-

Decision

1. The appeal is allowed and planning permission is granted for the retention of a wooden summerhouse on a concrete base at 6 Duck End Lane, Wilstead, Bedford, MK45 3HP in accordance with the terms of the application, Ref 20/01377/FUL, dated 29 June 2020, and the plans submitted with it.

Procedural Matters

2. The above address is taken from the appeal form.
3. As evident at the time of my site visit, the summerhouse has been built and completed in accordance with the submitted plans. Accordingly, the above description has been changed to retention.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area, including the setting of the listed Duck End Farmhouse and its barn as well as the listed Dove Cottage.

Reasons

5. The appeal site includes a single storey timber clad dwelling and frontage. The now built summerhouse is similar to the dwelling and forms a courtyard around a parking area.
6. The appeal site is partially obscured from Duck End Lane by a fence and entrance gate. Consequently, the summerhouse is conspicuous but not prominent.
7. The summerhouse is within the domestic environs of the dwelling and of a smaller footprint and consequently does not appear out of place. The roofline

and materials are similar. Therefore, the summerhouse does not harm the site or the character of Duck End Lane.

8. Duck End Farmhouse is adjacent to the appeal site and is Grade II listed. Its barn is also Grade II listed in its own right. The farm is an extensive array of various buildings dating back to the eighteenth century. It appears distinct from the appeal site and particularly so as the appeal site dwelling is nearer to the Farmhouse than the summerhouse. There does not appear to be a historic or cultural association with the appeal site. Consequently, the summerhouse does not harm the settings of the Farmhouse and its barn.
9. Dove Cottage is also Grade II listed and broadly opposite the appeal site. This dates back to the seventeenth century and is notable for typical cottage proportions and detailing. Its simplicity is emulated by the rustic nature of Duck End Lane. Whilst the summerhouse is visible from the cottage it does not look out of place. There is no apparent historic or cultural association between the sites.
10. I therefore conclude that the summerhouse does not harm the character and appearance of the area, including the settings of listed buildings.
11. Policies 28S, 30, 41S, 66 of the Bedford Borough Local Plan seek the preservation of the setting of heritage assets, promote place making, good design and sensitive changes to dwellings. Paragraph 194 of the National Planning Policy Framework (the Framework) seeks to protect the significance and setting of heritage assets. Paragraph 193 affirms that great weight should be given to the assets conservation. The development is not in conflict with these policies.

Other matters

12. The summerhouse is set back from the frontage parking area and does not reduce the parking capacity or impair turning. Similarly, it is away from the access and does not restrict visibility. Consequently, it does not harm highway safety.
13. The summerhouse is sited away from neighbouring dwellings and accordingly does not cause shadowing, overbearing enclosure or privacy problems.
14. The summerhouse is within a domestic frontage and has not resulted in a loss of biodiversity.

Conditions

15. Paragraph 55 of the Framework and the Planning Practice Guidance (PPG) provide the tests for the imposition of conditions.
16. The summerhouse has been completed in accordance with the submitted plans and no conditions on its implementation, materials or its construction are necessary. It is also within an existing residential context and its use does not warrant a condition.

Conclusion

17. I therefore conclude that the appeal should be allowed.

John Longmuir INSPECTOR