
Appeal Decision

Site visit made on 18 January 2022

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 FEBRUARY 2022

Appeal Ref: APP/K0235/D/21/3288060

Odell Castle, High Street, Odell MK43 7BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Chamberlain against the decision of Bedford Borough Council.
 - The application Ref 21/00792/FUL, dated 17 March 2021, was refused by notice dated 22 October 2021.
 - The development proposed is the erection of a new tractor store/workshop.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a new tractor store/workshop at Odell Castle, High Street, Odell MK43 7BB in accordance with the terms of the application, Ref 21/00792/FUL, dated 17 March 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: SK01-1 Rev B and SK01-2.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing Pool House building as stated on approved Drawing No SK01-2.
 - 4) The development hereby approved shall be constructed in accordance with the tree protection working methods identified in the Method Statement contained in the Tree Survey prepared by Woodland Forestry Limited.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. The proposed development includes the erection of an outbuilding for the storage of equipment to maintain the extensive curtilage of Odell Castle. The size of the garden and the extensive formal and informal landscaping are such that it is atypical of a normal sized amenity space associated with a dwelling. Therefore, the type of equipment which might be required to maintain the garden would be greater in type and size and could well include a small tractor with associated mowing or cultivating equipment. The proposed development

would be necessary to house this type of equipment and, therefore, it would be capable of according with Policy 66(vii) of the Bedford Borough Local Plan (LP)

4. The proposed outbuilding would be sited adjacent to an existing group of buildings within the garden of Odell Castle which are grouped around a courtyard. This courtyard is well separated from the castle and, as such, has its own character. By reason of the separation distance, the need for the design and size of an ancillary building to be in keeping with the existing dwelling, as sought by LP Policy 66(viii), is not as critical as the relationship to these other outbuildings. The appeal scheme would not be part of the courtyard but would be erected of similar external materials as the adjacent Pool House and these material could be secured by condition.
5. By reason of siting, from public viewpoints the appeal scheme would be viewed against, or be viewed as part of, the adjacent group of buildings. Further, views from the nearest road and public rights of way are filtered by substantial vegetation, including trees within the garden adjacent to the proposed outbuilding. If this appeal is allowed then, with the exception of the tree indicated to be felled, it would be necessary during the construction period to protect trees within the garden which close to the proposed outbuilding. A condition could be imposed to secure this protection.
6. Although not fronting the courtyard, because of its siting of the proposed development would visually and physically be seen as part of this group of outbuildings within the castle's garden rather than significantly extending built development into the open countryside. The assimilation of the appeal scheme into the existing built form of development associated with the courtyard would be assisted by the design, scale, form, and choice of external materials for the outbuilding. The character of the garden would remain as a meadow grassland with trees together a more formal landscape area adjacent to the castle. Accordingly, the siting, size and bulk of the proposed development would not harm the character and appearance of the surrounding open and verdant countryside and, as such, the appeal scheme would not result in urbanisation of the countryside.
7. Odell Castle is a Listed Building and there is a statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. However, the appeal scheme would be sited a sufficient distance from this Listed Building and also being part of a group of existing outbuildings so as not to harm the significance and setting of this designated heritage asset. For similar reasons, the settings and heritage significance of other nearby Listed Buildings would also not be harmed.
8. The proposed outbuilding would be sited outside of, but adjacent to, the Odell Conservation Area which includes historic residential buildings of stone construction and the church. By reason of its scale, design and siting adjacent to the other outbuildings, the proposed development would not cause harm to the significance and setting of the Conservation Area.
9. For the reasons given, it is concluded that the proposed development would not cause unacceptable harm to the character and appearance of the surrounding area and, as such, it would not conflict with LP Policies 66(vii & viii) and 7S(xi). In addition to criteria for ancillary buildings, these policies require development to recognise the intrinsic character and beauty of the countryside.

Conditions

- 10.** The Council has suggested several conditions in the event this appeal succeeds which have been assessed against the tests in the National Planning Policy Framework and the Planning Practice Guidance. For reasons of clarity and certainty, the appeal scheme should be constructed in accordance with the submitted drawings and, as already identified, in the stated external materials which would match the Pool House. A condition to protect the near-by trees during the construction period is also necessary for the reasons given. Accordingly, it is concluded that this appeal should be allowed.

D J Barnes

INSPECTOR