



Appeal Decision

Site visit made on 20 September 2022

by A Berry MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2022

Appeal Ref: APP/K0235/W/22/3290315

Hedding Farm, The Lane, Wyboston MK44 3AS

- 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 Mr Garry Brankin of Mayfair Country Homes Ltd against Bedford Borough Council.
 - The application Ref 21/02810/FUL, is dated 13 October 2021.
 - The development proposed is described as "conversion of barn to create 2 No. dwellings with detached garages/storage buildings. For increased residential curtilage and associated landscaping".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. It is clear from both parties' submissions that the Council granted planning permission in October 2021¹ for the conversion of the barn to form two dwellings and the change of use of land to residential (the "Approved Scheme"). From my site visit, I could see that this permission has commenced.
3. From the evidence I have before me, it is apparent that this appeal proposal differs from the Approved Scheme in respect of the size and siting of two detached outbuildings and an increase in the size of the domestic land associated with both dwellings. Following the submission of the appeal against non-determination, the Council has clarified the position it would have taken on the application if it had had the opportunity to make the decision. Therefore, there is no dispute between the parties as to the acceptability of the other elements of the proposal, only those matters that differ from the Approved Scheme. I shall therefore confine my considerations to the detached outbuildings and the increase in the size of the domestic land.

Main Issue

4. The main issue is the effect of the detached outbuildings and of the increased size of the domestic land on the character and appearance of the area.

Reasons

5. Hedding Farm is located in the countryside, on a rural lane that is characterised by clusters of dwellings and commercial premises interspersed with open fields. The farm comprises a small cluster of buildings including the farmhouse (that

¹ Planning reference 21/01247/FUL

fronts onto The Lane), traditional and modern farm buildings and a walled garden/orchard. The farm is surrounded by open fields.

6. The appeal site comprises a modern barn located to the rear of the cluster of buildings and a portion of land to both the east and west to be used for the parking and turning of vehicles and as garden. The appeal site is accessed from The Lane by an existing curved access. It is separated from The Lane by a sizeable walled garden/orchard belonging to Hedding Farm. The Lane is largely bounded by hedgerows to either side, however, on my site visit I noted that there are some gaps which provide a view of the appeal site when travelling along the road. Furthermore, the Highway Authority, in their consultation response, has requested a condition in respect of visibility splays that has the potential to further increase the visibility of the appeal site from The Lane.
7. The land to the west of the barn conversion comprises a relatively flat area of hardstanding that is devoid of buildings. The land would provide four surface parking spaces, a vehicle turning area, and a proposed area of garden/amenity land bounded by a post and rail fence that would include a terrace immediately adjacent to each dwelling. Two detached, single storey outbuildings would be constructed on the land that would each contain a garage and a store that could be used for the storage of bicycles. Landscaping is proposed towards the western boundaries of this part of the appeal site.
8. The proposed detached outbuildings would be visible from The Lane due to their proposed siting and scale, as would any vehicles that would be parked within the proposed spaces. The outbuildings would be constructed on an existing area of open land and would extend the built form of the farm closer to the fields to the west. Permitted development rights² could be removed for the construction of further development on the land, however, this could not prevent the siting of domestic paraphernalia associated with the dwellings, such as garden furniture, children's play equipment, clothes drying equipment etc. Such paraphernalia would also be visible from The Lane. The proposed development would therefore erode the open character of this part of the farm complex and would have a significantly greater urbanising effect on this part of the countryside.
9. The appellant states that the land was previously used for the parking of vehicles associated with the farm. The appellant has provided, within their appeal statement, an aerial photograph of the appeal site, however, the piece of land is vacant with no vehicles in-situ. The appellant states that a visitor's parking directional sign adds weight to their assertion. Whilst I was able to view the sign on my site visit, no evidence has been provided to substantiate how long the sign has been in this position. Consequently, I have not been provided with any substantive evidence to support the appellant's assertion in respect of the former use of this piece of land.
10. The proposed development would include an area of garden/amenity space to the east of each dwelling, that would include a terrace accessed by floor-to-ceiling glazed doors from the open-plan living areas of each dwelling. Each garden would be regular in shape and would provide sufficient space for all of the day-to-day activities associated with a family-sized dwelling to take place. The garden/amenity space to the west of each dwelling, incorporating the construction of a second terrace, would significantly increase the amount of

² The Town and Country Planning (General Permitted Development) (England) Order 2015

curtilage associated with each dwelling, which is not essential to meet the day-to-day needs of the occupiers. The scale and siting of the proposed garage/store buildings together with the layout of the proposed parking spaces, further increases the size of the domestic land. In addition, the siting of the proposed garage/store buildings would not relate well to the dwellings given the separation between the two.

11. In reference to the main issue, the proposed development would be contrary to part (viii) and (ix) of Policy 7S, and Policies 28S, 29, 30 and 65 of the Bedford Borough Council Local Plan 2030, adopted 2020 which require, amongst other things, the re-use of a rural building in the countryside to not increase the impact of the site/use on the surrounding countryside, and that any curtilage required is not excessive in size and should relate well to the existing building and landscape. In addition, the proposed development would be contrary to paragraph 130 of the National Planning Policy Framework that seeks to ensure that developments are sympathetic to local character, including the surrounding landscape setting.

Other Matters

12. The farmhouse at Hedding Farm (known as Hedding Farmhouse in the list description) is Grade II listed. I therefore have a statutory duty under Sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 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. Due to the distance between the listed building and the appeal site and the intervening farm buildings and boundary walls, I do not find harm to the setting of Hedding Farmhouse from the proposed development.
13. It is acknowledged that the appeal scheme, as shown on the Proposed Site Plan, proposes some limited landscaping to the western side of the parking area, and that no landscaping was included within or around the parking area of the Approved Scheme. Limited information has been provided to indicate how these areas would be planted, however, such landscaping could not be of a height that would impede the visibility of users of the parking area. Therefore, the proposed landscaping, due to its height, siting and size, would have a limited effect on softening the appearance of the proposed extended parking area and outbuildings.
14. The appellant states that, under the Approved Scheme, the remainder of the hardstanding beyond the parking spaces and access road would be retained and would likely be used by visitors to the dwellings to park their vehicles, given that no visitor spaces are included. The area of hardstanding is existing and therefore its retention would have a neutral effect on the character and appearance of the area. If visitor parking did occur within the hardstanding, it would be less frequent than the parking of the occupiers' vehicles and would be more transient in nature. Therefore, the impact of visitors parking on the hardstanding would be less harmful to the character and appearance of the area than the proposed parking area and permanent outbuildings. Furthermore, I have not been provided with any compelling evidence that this scenario would likely occur should this appeal fail, as it would be in the appellant's best interests to ensure that the surrounding land is attractive to enhance the value of the dwellings, and landscaping of this land could be

undertaken without changing the use of land for domestic purposes. I therefore attach limited weight to this matter.

15. The appellant suggests that the lockable stores for bicycles would be sited in a more convenient location than the Approved Scheme and therefore would be more likely to be used. However, this assertion has not been supported by evidence. Furthermore, the siting of the storage buildings within the parking courtyard, separated from each dwelling and accessible by visitors, could be less secure and therefore deter future occupiers from using them for such a purpose. I therefore attach limited weight to this matter.

16. There has been no objection from the Conservation Officer in respect of the proposed development. However, their comments were restricted to the effect of the proposed development on the setting of the Grade II listed building, and not in respect of its impact on the character and appearance of the surrounding area. I also note that there is no objection to the design of the proposed outbuildings. However, these are neutral matters.

Conclusion

17. For the reasons given above, the appeal scheme would conflict with the development plan as a whole and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal is therefore dismissed.

A Berry

INSPECTOR