



Appeal Decision

Site visit made on 7 March 2023

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 March 2023

Appeal Ref: APP/P0240/D/22/3309239

6 Bull Farm Close, Central Bedfordshire, Hockliffe LU7 9TH

- 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 Adrian Stidston against the decision of Central Bedfordshire Council.
 - The application Ref CB/22/02549/FULL, dated 21 June 2022, was refused by notice dated 16 August 2022.
 - The development proposed is the erection of a new garden outbuilding.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. My attention has been drawn to Policy SP4 of the Central Bedfordshire Local Plan (2021) (the Local Plan). Although not cited on the Council's decision notice, the appellant has commented upon this policy in their submission. In result, I do not believe it would cause prejudice to any party to have regard to this policy.

Main Issues

3. The main issues relevant to this appeal are:
 - whether the proposed development would represent an inappropriate development in the Green Belt;
 - the effect of the development on the openness of the Green Belt;
 - The effect of the development upon the character and appearance of the surrounding area; and
 - if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development

4. The appeal site is in the Green Belt. The National Planning Policy Framework (the Framework) regards the erection of new buildings in the Green Belt as generally being inappropriate. There are some exceptions to this, which are listed in Paragraph 149 of the Framework.

5. The proposed development comprises an outbuilding that would be physically separate from the main dwelling. Therefore, the proposal does not meet any of the exceptions listed in Paragraph 149 of the Framework.
6. It has been suggested that the proposed development would represent a replacement of a now demolished outbuilding. Although this might be the case, it would appear that this building would be demolished and was used for a different purpose than the appeal scheme.
7. Therefore, given these variations and the passage of time, I am not persuaded that the proposed development would represent a replacement building and would therefore represent an inappropriate development in the Green Belt within this regard.
8. Nonetheless, even if I were to conclude that the proposal was a replacement building, I have not been provided with details showing the position and the proportions of that building. Therefore, without this information it is not possible to conclude whether or not the proposed building would have a greater or smaller effect upon the overall level of openness of the Green Belt. In consequence, I am not able to conclude that the building meets the criteria established within Paragraph 149 of the Framework.
9. Furthermore, the evidence before me indicates that the previous building was a feature of the former agricultural use of the site. The assessment of whether an agricultural building is not inappropriate in the Green Belt differs from the assessment of a domestic outbuilding.
10. There are some similarities between the use of the previous building and the appeal scheme. However, agricultural storage is a notably different use from the use of a building for domestic storage owing to the differing reasons why materials might be stored. Therefore, the proposed development cannot be considered to be of the same use to the original building.
11. I therefore conclude that the proposed development represents an inappropriate development in the Green Belt. The proposed development would conflict with the requirements of the Framework in this regard.

Effect on openness

12. The appeal site contains a dwelling with a garden to one side. This is surrounded by wooden fences that are constructed to different scales. The wider area contains a relatively small residential development. Beyond that are open areas and also some landscaping. This means that the wider area has a more open, less-developed character.
13. Given that the original outbuildings have been demolished, the proposed development would result in an overall increase in the level of built form. This means that the proposed development would result in a more developed appearance and, in consequence, would result in an erosion of the spatial sense of openness that is an intrinsic feature of the Green Belt.
14. In addition, the proposed development would be readily perceptible from outside of the site's boundaries. This is, in part, derived from the relatively low boundary treatments that are present in some parts of the appeal site. In addition, views of the development would be possible from several different

nearby areas. This includes the access road and, in part, from neighbouring properties.

15. By reason of this increase in built form, the appeal site would have a more developed appearance. This means that the proposal would result in an erosion of the physical sense of openness that is a feature of the Green Belt.
16. In reaching this conclusion, I have had regard to the presence of mature trees and other landscaped features nearby. Whilst these provide some screening, it is likely that the overall effect would vary depending upon the health of the trees. This means that potentially the development could become more prominent over time. In result, the proposed development would lead to an erosion of the physical sense of the Green Belt's openness. Therefore, the presence of these features does not overcome my concerns.
17. I therefore conclude that the proposed development would have an adverse effect on the overall level of openness within the Green Belt. The development would conflict with the requirements of the Framework and Local Plan Policy SP4, in this regard. Amongst other matters, these seek to keep land permanently open; and not have a greater effect on openness.

Character and appearance

18. The appeal site consists of a semi-detached dwelling that is located within a relatively small residential development. There is a garden to the side of the dwelling, which is surrounded by wooden fences. The dwellings nearby are typically constructed to traditional designs. The wider area is typically open in character.
19. The proposed development would result in an increase in the overall level of built form. This would mean that the development would erode the open and less developed character that is a feature of the surrounding area. In result, the proposed development would appear incongruous given that it would conflict with the more open character of neighbouring land.
20. The proposed development would have a flat roof, which would conflict with the prevailing character in that existing buildings are typically constructed with pitched roofs. This would render the proposed development a discordant addition to the locality.
21. Furthermore, the proposed development would be readily perceptible from the wider area given that the screening effect provided by the site's boundary treatments would only be partial. This means that the development would be readily viewable from the site's access road and, to some extent, from the neighbouring dwellings.
22. The access road adjacent to the appeal site serves as an access road to the other semi-detached dwelling. Furthermore, the appeal site is near to a parking area. These factors, when combined, would ensure that the proposed development would be potentially experienced by a great number of people. This would render the proposed development a strident addition to the locality.
23. In addition, there would be some glimpsed views from the nearby A5. Although these are likely to be fleeting in nature, they would contribute to an overall, and perceptible increase in the overall built form that would conflict with the

open character of the vicinity. In addition, the development may become prominent depending on the health of the landscaping.

24. Whilst there are some outbuildings present in the surrounding area, these are typically well-screened by the boundary treatments or constructed to designs and palettes of materials that are complimentary towards the neighbouring dwellings. Such factors do not apply to the appeal scheme. In result, the presence of outbuildings elsewhere do not allow me to disregard my previous concerns.
25. Although there are some buildings in the surrounding area that are constructed to different designs to those within the appeal site. However, they are spatially separated from the appeal site. Therefore, they are not readily viewed alongside one another. In consequence, the presence of the buildings elsewhere does not allow me to disregard my previous concerns.
26. I therefore conclude that the proposed development would have an adverse effect on the character and appearance of the surrounding area. The development would conflict with the requirements of Policy HQ1 of the Local Plan. Amongst other matters, this seeks to ensure that developments reinforce the local distinctiveness of the area and create a sense of place.

Other considerations

27. The proposed development would result in the provision of a home office. this would generate some economic benefits. In addition, there would be some economic benefits arising from the construction process. Due to the nature of the development, and its scale, any such economic benefits are unlikely to be of a large scale. Furthermore, in some instances these are likely to be of a time limited duration. In result, I can only give them a limited amount of weight.
28. The proposed development could also be used for the storage of household items. Whilst I understand that this may be similar to an agricultural use, it has not been demonstrated that the need for such storage facilities in this location is so significant so as to require the provision of a new building. This differs from an agricultural type of use where such storage facilities may well be needed close to the relevant land. I therefore give this matter a limited amount of weight

Planning Balance and Conclusion

29. The development plan and Framework set out the general presumption against inappropriate development within the Green Belt. They explain that such development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
30. I have concluded that the appeal scheme would be inappropriate development and would, by definition, harm the Green Belt. In so doing I have found harm to the openness of the Green Belt. Paragraph 148 of the Framework requires substantial weight to be given to any harm to the Green Belt.
31. The other considerations I have identified individually and collectively carry a limited amount of weight in favour of the proposal. As such the harm to the Green Belt is not clearly outweighed by the other considerations identified, and

therefore the very special circumstances necessary to justify the development do not exist.

32. In addition, the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR