

Appeal Decision

Site visit made on 1 December 2023

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14.12.2023

Appeal Ref: APP/K0235/D/23/3330766

College Farm, Old Harrowden Road, Harrowden, Bedford, MK42 0TB

- 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 Ms C Nunn against the decision of Bedford Borough Council.
 - The application Ref 23/01081/S73A, dated 19 May 2023, was refused by notice dated 14 July 2023.
 - The development proposed is the erection of a boundary fence with landscaping, two sheds to front/side of property and pedestrian and vehicular access gates.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a boundary fence with landscaping, two sheds to front/side of property and pedestrian and vehicular access gates at College Farm, Old Harrowden Road, Harrowden, Bedford, MK42 0TB in accordance with the terms of the application, Ref 23/01081/S73A, dated 19 May 2023 and the plans submitted with it.

Procedural Matters

2. At the time of my site visit the development was in place. The application form makes clear that the scheme has been submitted retrospectively and I have dealt with it on that basis.
3. A similar proposal was previously submitted and refused. This was dismissed on appeal (Ref: App/K0235/D/22/3312830) on 13 February 2023. The appeal proposal before me has been amended from the dismissed proposal in the context of the conclusions of the previous Inspector.

Main Issue

4. There is one main issue which is the effect of the proposed fence and landscape planting on the character and appearance of the street scene of Old Harrowden Road and the surrounding rural area.

Reasons

5. The appeal site comprises a residential property located in the countryside in a semi-rural area. The site fronts Old Harrowden Road which is a quiet, single track lane which ends at a farm. The lane has no footway.
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6. The Council raises no objection to the proposed sheds or to the pedestrian and vehicular accesses. The sheds are small and of timber construction and although the apex roofs are visible above the fence, their scale, and position within a residential curtilage, means they are not obtrusive in the landscape. I therefore agree they are acceptable. Moreover, I agree that the accesses would be satisfactory.
7. The proposed fence which is some 1.8m high extends along the front boundary of the site and is separated from the carriageway by a verge, into which has been planted a landscaping strip of laurel. Other boundaries in the area vary. Some are marked by hedgerows, including laurel on the boundaries of other dwellings, whilst others are of post and rail fence or, opposite the site, substantially open. At the time of my site visit, the fence appeared established and had weathered to a silvery grey. The laurel obscured about two thirds of its height over most of the length and appeared healthy.
8. The Council has raised concerns as to whether the space available within the verge is adequate to establish effective landscape screening and the previous appeal was dismissed, in part, because substantive evidence had not been provided to demonstrate that planting would thrive in this location. However, it is clear from the evidence now before me, including my site visit, that adequate space is available to establish a sufficiently dense and tall hedgerow to soften the visual effect and substantially obscure the fence.
9. It is therefore concluded on the main issue that the fence and landscape planting would have no materially detrimental effect on the character or appearance of the street scene of Old Harrowden Road or the surrounding rural area. In consequence, it would comply with Policies 28S, 29 and 30 of the Bedford Borough Local Plan 2030 (LP), adopted 2020, and with the objectives of Policy 7S of the LP. Taken together and amongst other things these seek to protect the countryside and ensure that development is of a high quality of design such that it responds positively to the character and context of the area.
10. Turning to conditions, since the development has been completed, a commencement condition is not appropriate and neither is it necessary to require the development to be carried out in accordance with the approved plans. The Council does not suggest any other conditions and I agree none is necessary.
11. Third parties have raised a number of concerns. These focus predominantly on the removal of the hedgerow which previously fronted the site. However, the removal of this hedgerow is not a matter before me to consider. Moreover, I find no issue of highway safety. The previous appeal decision found no harm to highway safety, and it is not a reason for refusal raised by the Council in the context of this appeal.
12. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be allowed.

KE Down
INSPECTOR