



Appeal Decision

Site visit made on 23 July 2024

by A Edgington BSc (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 29th July 2024

Appeal Ref: APP/K0235/D/24/3343356

Silver Birches, 1 Bedford Road, Willington, Bedford MK44 3PP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Imran Aftab, against the decision of Bedford Borough Council.
 - The application Ref is 24/00001/FUL.
 - The development proposed is Demolition of existing outbuildings and replacement with annexe, for uses ancillary to the host dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the development would accord with local policies with regard to ancillary buildings;
 - The effect of the development on the character and appearance of the area;
 - The effect of the development on biodiversity; and,
 - Whether the development would accord with local policies with regard to the Forest of Marston Vale.

Reasons

Location

3. The appeal buildings are two outhouses located near a detached dwelling on a large corner plot. The appeal site sits astride the settlement boundary set out in the Willington Neighbourhood Plan (NP). The dwelling sits well inside the settlement boundary, and the two outbuildings are outside that boundary.
4. The various plans before me suggest that the outbuildings within the site were originally functionally linked to a series of similar buildings on the adjoining site. My reasoning in this regard is reinforced by the continuation of hardstanding between the appeal site and the adjoining site shown on those plans. It also seems likely that the outbuildings buildings and the buildings on the adjoining site had some common agricultural, horticultural or other function, not least as they abut open land to the rear. However, the entire appeal site now appears to be being used as domestic garden. Although the officer's report states that part of the appeal site is agricultural land, there is

no substantiating evidence in this regard. In any case, issues around potential change of use in this regard are outside the remit of this appeal. However, it remains that the outbuildings sit outside the settlement boundary.

5. The outbuildings are single storey with a utilitarian appearance, and both have windows and pitched roofs. The smaller building appeared to be being used for domestic storage. The larger building has two doors large enough to accommodate the entry of machinery or a vehicle. However this building was locked, and the key was unavailable. As all the windows were obscured by blinds, I was unable to confirm its current use.
6. The existing dwelling appears to be a mid-20th century building with a simple rectangular footprint and a hipped roof.
7. Policy 66 of the Local Plan (LP) sets out criteria for ancillary domestic buildings in the countryside. These are that they will not be used for any other purpose than the enjoyment of the existing dwelling, that the design and size is in keeping with the existing dwelling, and that there would be no adverse effect on the character or appearance of the area.
8. The proposed annexe would replace the two outbuildings with a far larger, L- shaped structure, which would be single storey with first floor accommodation under a pitched roof with dormer windows. The ground floor would accommodate parking for four vehicles, a large gym and shower facilities, and the first floor would contain a bedroom, lounge and very large home office. The overall footprint of this structure would be significantly larger than that of the combined outbuildings, as well as being significantly larger than the footprint of the host dwelling. As such, in terms of bulk and massing it would be disproportionately large in relation to the host dwelling. It would not therefore be in keeping with the existing dwelling as required by LP Policy 66.
9. Consequently, the annexe would fail to meet criteria viii for ancillary domestic dwellings as set out in LP Policy 66, as set out above. It would also fail to accord with LP Policy 7S which requires the extension of dwellings in the countryside to accord with LP Policy 66.

Character and appearance

10. The annexe would have a combination of hipped roof and gable ends, dormer windows on one side, and would be unremarkable in design terms. I have set out above that it would be considerably larger than the current outbuildings in footprint, height and overall massing. It would also be considerably closer to the existing dwelling than the current outbuildings and would therefore appear intrusive in relation to the existing dwelling, particularly in views from Bedford Road. Moreover, its wide hipped front elevation would span the entire separation distance between the existing dwelling and the plot's side boundary. It would also have a ridge height of nearly 7 metres, and its front elevation would be wider than that of the existing dwelling's front elevation. It would therefore compete in visual terms with the host dwelling and would not be subservient.
11. Moreover, the proposals would span the settlement boundary which appears to have been drawn to separate the building line of Bedford Road from the single storey outbuildings to the rear and on the adjoining site. Given that what is proposed would be considerably larger than the outbuildings in footprint, ridge

height and overall massing, the annex would represent a considerable shift of build form beyond the settlement boundary. This would be contrary to the aims of Policy W1A of the NP which requires new development to maintain the scale, density form and character of the existing settlement. The annexe would sit uneasily with the underlying building pattern and would have an adverse effect on the character and appearance of the area.

12. Although the existing buildings have a utilitarian appearance, they are set away from the existing dwelling and Bedford Road. They are clearly subservient and their appearance reflects their former function. Whilst they do not add to the character and appearance of the area, I see no benefits arising in that regard from their replacement with the annexe, for the reasons set out above. Moreover, I agree with the Council that outwardly the proposals would have a residential appearance, irrespective of their actual use.
13. I conclude that the development would have an adverse effect on the character and appearance of the area, contrary to NP Policy W1A, and LP Policies 28S, 29 and 30 which taken together are concerned with good design and local distinctiveness. It would also be contrary to LP Policy 66, as set out above. These policies are supported by N1 and N2 of the Residential Design Guide¹ (RDG). I recognise that the RDG is of some age but there is nothing before me to suggest that its guidance is inconsistent with the National Planning Policy Framework or the local development plan.

Protected species

14. LP Policy 42S requires that planning applications for development are required to assess the impact of the proposal on the biodiversity and geodiversity of the site and its surroundings. The planning statement notes that there will be no adverse impact on ecological features and the perceived impact on biodiversity will be neutral. However, there is no supporting evidence in this regard.
15. I appreciate that the officer's report does not have evidence that there may be bats present but by the same token there is nothing before me to indicate that the appellant has any evidence to the contrary. As such I conclude that the development would not accord with LP Policy 42S as set out above.

Forest of Marston Vale

16. The explanatory text to LP Policy 36S states that in individual gardens, contributions to the forest can take the form of individual trees and hedgerows. I see no reason why a condition requiring additional planting could not be imposed in the event that the appeal was allowed. This would meet the requirements of LP Policy 36S.

Listed buildings

17. There are two listed buildings, the Grade II listed Grange Farmhouse and the Old Forge, within 100 metres of the site. However, on the basis of what is before me I am satisfied that the development would not have an adverse effect on their settings.

¹ Residential Extensions, New dwellings and Small Infill Developments 2000

Conclusion

18. In the light of the above I conclude that the development would be contrary to the local development plan and the NP, and that there are no material considerations of such weight to lead me to conclude otherwise. The appeal is dismissed.

A Edgington

INSPECTOR

