



Appeal Decision

Site visit made on 20 June 2024

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th August 2024

Appeal Ref: APP/K0235/D/24/3342500

259 Old Harrowden Road, Harrowden, Bedford MK42 0TB

- 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 Mrs Gemma Odell against the decision of Bedford Borough Council.
 - The application Ref is 23/02594/FUL.
 - The development is proposed garage with room above, new gates and enclosure of storage area to incorporate into the main dwelling.
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Decision

1. The appeal is dismissed insofar as it relates to the garage with room above, and new gates.
2. The appeal is allowed insofar as it relates to the enclosure of storage area to incorporate into the main dwelling and planning permission is granted for enclosure of storage area to incorporate into the main dwelling at 259 Old Harrowden Road, Harrowden, Bedford MK42 0TB in accordance with the terms of the application, Ref 23/02594/FUL, and the plans submitted with it, so far as relevant to that part of the development hereby permitted and 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: 1151 SPLP, 1151 PP and 1151/2 PE.
 - 3) The materials to be used in the construction of the external surfaces of enclosure of storage area hereby permitted shall match those used in the existing building.

Procedural Matter

3. The Council changed the description of development from that stated on the application form. In the interests of clarity, I consider that the amended description accurately describes the appeal scheme and accordingly I have adopted an amended description in the heading above.

Main Issues

4. The Council considered that the enclosure of storage area to incorporate into the main dwelling was acceptable. I have no substantive evidence to lead me to a different conclusion upon this part of the proposed development.
5. The main issues in this appeal are (i) whether the location is suitable for the garage with room above and new gates; (i) the effect of the garage with room above and new gates on the character and appearance of the area; and (iii) on highway safety.

Reasons

Location

6. The appeal site comprises a residential property located in the countryside, within a semi-rural area. The site fronts Old Harrowden Road which is a single track highway without a segregated pedestrian walkway.
7. Policy 7S of the Bedford Borough Council Local Plan 2030 (2020) (the Local Plan) states that development outside of a defined settlement policy area would only be permitted if it meets one of the stated exceptions contained within the policy. Policy 66 of the Local Plan is one of the criteria which relates to the replacements and extension of dwellings in the countryside.
8. The Council have drawn my attention to an approval of additional land at the appeal site for residential use¹. The Council contend that the proposed garage is outside of the land approved for residential use. I have not been provided with substantial evidence to contradict this.
9. During my site visit I observed that planting separates the appeal site from the adjacent field and that the area appears to be in residential use. Notwithstanding this I am not persuaded that this is lawful and, on this basis, I find that the proposed garage outside of the approved residential land would not be a suitable location for a domestic building.
10. The proposed development conflicts with Policies 7S and 66 of the Local Plan which seeks amongst other things to protect the open countryside.

Character & Appearance

11. The proposed development includes a timber fence and gate adjacent the highway, a post and rail fence exists along the boundary with the adjacent field. Boundaries in the area vary, although in the immediate vicinity of the appeal site they are rural in appearance predominately with established hedgerows.
12. The property opposite, College Farm House has a 1.8m timber fence along the boundary adjacent the highway, however this has cherry laurel hedge planted in front to soften the appearance. From the plans before me I am not convinced that there would be space to provide planting in front of the proposed boundary treatment. I therefore find that the fence due to its height and length would be a prominent feature in the area.
13. The appeal property is a former farm building converted to residential use, the L-shaped building is modest in height and has an elongated side elevation. The proposed garage would be substantial in size, in a prominent location and

¹ Planning Ref: 22/02189/COU

within the open countryside. The garage would be a dominant feature when viewed against the existing property and the countryside setting.

14. I conclude that the proposed development would harm the character and appearance of the area.
15. There is conflict with Policies 28, 29, 30 and 66 of the Local Plan which seek amongst other things to protect the countryside and ensure development is of high design quality and responds positively to the character and context of an area.

Highway Safety

16. Old Harrowden Road is a single track road, which at the time of my site visit did not appear to be a busy highway.
17. I understand that the approval of additional land for residential use included a condition that required the turning spaces for vehicles illustrated on the approved plans to be provided and retained to enable vehicles to draw off, park and turn outside the highway limits to avoid the reversing of vehicles on to the highway.
18. The Council's Highways (Development Control) Officer has objected to the current proposal in relation to both the proposed gates and garage as they would impede the turning area which was approved for the previous scheme. Whilst I understand the Council's desire to ensure adequate manoeuvrability of vehicles on the road, I am unclear why this should be on private land. There would be sufficient space within the appeal site to provide a turning area for users and visitors of the appeal property, which could be secured by the imposition of a planning condition.
19. I conclude that the development would not harm highway safety.
20. There is no conflict with Policy 31 of the Local Plan seeks to ensure that developments do not have any significant adverse impact on access to the public highway.

Other Matters

21. The appellant has highlighted that the proposed development is required due to the personal circumstances of the occupants for instance the boundary treatment for safety and security. I have not been provided with evidence to demonstrate that the proposed development would be the only way to fulfil the needs of the appellant, I therefore give this limited weight.

Conclusion

22. I find the proposed enclosure of storage area to incorporate into the main dwelling is clearly severable both physically and functionally from the proposed garage with room above and new gates.
23. I conclude that the appeal should succeed in relation to the enclosure of storage area to incorporate into the main dwelling. However, in relation to the proposed garage with room above and new gates, the appeal should be dismissed.

24. In respect of the enclosure of storage area to incorporate into the main dwelling I have attached the standard time limit condition and a plans condition as this provides certainty. I have also added conditions concerning materials to ensure a satisfactory appearance.

C Pipe

INSPECTOR