



Appeal Decision

Site visit made on 6 December 2024

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 December 2024

Appeal Ref: APP/K0235/D/24/3347184

The Old Mill House, Mill Lane, Turvey, Bedfordshire, MK43 8ES

- 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 & Mrs Abauzit against the decision of Bedford Borough Council.
 - The application Ref is 24/00399/FUL.
 - The development proposed is the construction of a 1 bedroom annexe following the partial demolition of an existing garage/outbuilding and associated landscaping works.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a 1 bedroom annexe following the partial demolition of an existing garage/outbuilding and associated landscaping works at The Old Mill House, Mill Lane, Turvey, Bedfordshire, MK43 8ES in accordance with the terms of the application, Ref 24/00399/FUL, 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: Site location plan; 1347/01/01 A; 1347/01/05; 1347/02/-01 J; -05 H; -06 C; -07 B.
 - 3) No development shall take place until an archaeological mitigation strategy for a watching brief has been submitted to and approved in writing by the Local Planning Authority. The archaeological mitigation strategy shall include a timetable and the following components (the completion and approval in writing of each, by the Local Planning Authority, will result in a separate confirmation of compliance for each component):
 - (i) fieldwork and/or preservation "in situ" of archaeological remains;
 - (ii) a post-excavation assessment report (to be submitted within six months of the completion of fieldwork);
 - (iii) a post-excavation analysis report, preparation of site archive ready for deposition at a store approved by the Local Planning Authority, completion of an archive report, and submission of a publication report (to be completed within two years of the completion of fieldwork).The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings.

Main Issue

2. There is one main issue which is the effect of the proposed annexe on the character and appearance of the surrounding area which lies within the Turvey Conservation Area (CA) and the setting of nearby listed buildings.

Reasons

3. The Old Mill House is a detached dwelling located on Mill Lane within the Turvey CA. The house and its curtilage structures contribute to the setting of nearby Grade II listed buildings (LBs). The LBs are Mill Cottages (formerly Wright), Alyncot¹ and Ye Three Fyshes Inn. All three have their frontage to Bridge Street. Mill Cottages lies on the corner of Bridge Street and Mill Lane and extends towards The Old Mill House along Mill Lane. Ye Three Fyshes Inn occupies the opposite corner while Alyncot lies to the east and is set back from Bridge Street with its principal façade facing towards Mill Lane. The listed buildings, all of which are of stone with clay tiled roofs, derive their significance from their 17th/18th century origins, vernacular form and method of construction and traditional materials.
4. The National Planning Policy Framework (NPPF) makes clear that conservation areas and listed buildings are designated heritage assets. When considering the impact of a proposed development on the significance of a designated heritage asset, the NPPF advises that great weight should be given to the asset's conservation. Significance can be harmed through alteration of the heritage asset or development within its setting. Statutory protection is provided by Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 1990 Act) which apply to conservation areas and listed buildings respectively. These require that special regard/attention is paid to the desirability of preserving or enhancing the character or appearance of the heritage asset, including its setting.
5. Mill Lane is characterised by its close knit arrangement of traditional stone buildings, including outbuildings, and high stone walls which abut the highway. Some brick is also seen, in particular on the workshop building at Turvey Motors that abuts Mill Lane, above the stone wall of what appears to be an older outbuilding. There are views from Mill Lane to the east through the vehicular entrance to The Old Mill House, with the roofs of Mill Cottages and Alyncot visible beyond the site. Opposite the appeal site, there are views into Turvey Motors which is characterised by workshop buildings, some of which appear to be much altered and enlarged older stone outbuildings and some of which appear to be more modern stand-alone structures.
6. The location of the proposed annexe is partly open and partly occupied by a modern garage building which appears to incorporate the remnants of an earlier outbuilding which ran along the northern boundary of the appeal site. It is proposed to demolish part of this garage, retaining the original gable end facing onto Mill Lane but replacing the modern brick and windows on the southern elevation and higher section of the northern elevation with stone. The roof tiles would be re-used and the existing modern garage door would be replaced with side hung timber doors. The Council's Conservation Officer

¹ The name of "Alyncot" is spelled in various ways in the evidence. I have used the spelling on the OS Map which is also that shown on the cottage itself.

considers that this part of the proposed development would have a neutral effect on the CA and the setting of the LBs. In my view it currently materially detracts from the character and appearance of the CA and its partial demolition and sensitive alteration would enhance the street scene of Mill Lane and the CA. I shall therefore restrict my further consideration to the proposed annexe.

7. The proposed single storey annexe would be set some 3.3m from the boundary wall on Mill Lane but still clearly visible from it. It would have a rectangular footprint some 5.75m by 9.5m and would be set into an open space between the northern boundary wall, the partly demolished garage and the eastern boundary, part of which is dominated by a modern, red brick, garage to the rear of Mill Cottages. The proposed stone construction with clay pantile roof would be sympathetic to the surrounding area. Conservation roof lights are also specified on the submitted plan. There would be no openings in the rear or two side walls of the proposed annexe. The main façade, facing The Old Mill House, would have two square timber casement windows and a solid timber door with side glazed panel.
8. The Council considers that a building on the proposed site would be out of character with its currently open appearance and with the CA and this would negatively affect the setting of Mill Cottages and Alyncoth. In addition, concern is raised that the scale of the proposed annexe, in particular its depth, would be disproportionate and its design overly domestic.
9. The evidence shows that historically there was an outbuilding occupying the entire northern boundary of the appeal site. This is shown on an OS map extract dated 1882. It is not clear when the building was partially removed and altered. However, in view of other outbuildings built into the boundary walls nearby and the presence of the original gable end of the existing garage, I agree with the parties that it is likely that the building was a continuation of that gable end. It would thus have been shallower and lower than the proposed annexe. Nevertheless, it would have broken up the open aspect across and beyond the site from Mill Lane, contributing to the close knit, enclosed character of this part of the CA.
10. The proposed annexe would alter the currently open appearance of the appeal site. Nevertheless, taking account of the character of the surrounding area, the prevalence of substantial older outbuildings nearby, the existing garage and the garage at Mill Cottages I find that, although finely balanced, the effect of its presence on the layout of this part of the CA would be neutral. Regarding the setting of the LBs, I consider that the separation distance to Alyncoth and the existing high boundary wall between the appeal site and Mill Cottages would ensure that their setting was preserved.
11. In terms of the building's depth, this would in part be obscured from Mill Lane by the retained outbuilding and in any case would not be so different as to be inconsistent with other outbuildings in the vicinity. The proposed annexe would also be seen partly in front of and in the context of the deeper side elevation of the modern Mill Cottages garage which would project beyond it. Moreover, the two buildings would be similar in height and, in the context of the much larger Old Mill House, the proposed annexe would have the scale of an outbuilding. Overall, this would aid the visual integration of the proposed annexe, such that it would not appear disproportionate in scale in this part of the CA.

12. Turning to its appearance, whilst clearly visible from Mill Lane, the façade of the building would in part replace the existing domestic garage which has similar windows. It would also be seen in the context of the modern Mill Cottages garage and the enlarged and altered commercial buildings at Turvey Motors, all of which modify the historic context and hence the character and appearance of this part of the CA. I therefore find that the proposed design would preserve the character and appearance of the CA.
13. Overall, in terms of the effect on the character and appearance of the CA and on the setting of the nearby LBs, I find that the proposed annexe would be neutral. The significance and heritage value of these designated heritage assets would thus be preserved. The proposed development would therefore comply with the requirements of the NPPF, national legislation, Policies 29 (iii) and 41S of the Bedford Borough Local Plan 2030 (LP), adopted 2020 and Policy T7 of the Turvey Neighbourhood Development Plan 2020-2030 (NP), adopted 2021.
14. Taken together and amongst other things these require development to be sympathetic to local character and history such that it protects heritage assets and their settings and successfully integrates with the historic environment and character. In particular, development must complement the existing character of Turvey, including the immediate site context, in terms of scale, height and massing of new buildings and the relationship of built and open areas within plots. Within historic areas and settings, high quality, authentic materials must be used.
15. It is concluded on the main issue that the proposed annexe would have no materially harmful effect on the character or appearance of the surrounding area, would preserve the significance of the Turvey CA and the setting of nearby LBs and would comply with local and national policy.
16. Turning to conditions, I agree with the Council that, in addition to the statutory commencement condition, the development should be carried out in accordance with the approved plans on which materials are specified. In addition, the Council's Historic Environment Officer proposes a condition requiring an archaeological watching brief during construction groundworks. Owing to the location of the site within the postulated extent of the medieval settlement of Turvey and the potential to disturb, damage or destroy archaeological remains associated with the medieval and post-medieval occupation of the village, I agree that to ensure the proper recording, reporting and presentation of heritage assets that may be affected a condition to secure this is necessary.
17. For the reasons set out above and having regard to all other matters raised, including the lack of any objection from the Turvey Parish Council, I conclude that the appeal should be allowed.

KE Down
INSPECTOR