
Appeal Decision

Site visit made on 26 March 2025

by **N Bromley BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 April 2025

Appeal Ref: APP/P0240/W/24/3352807

81 Astwick Road, Stotfold, Central Bedfordshire SG5 4BQ

- 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 Watson against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/01945/FULL.
 - The development proposed is described as “Erection of single storey outbuilding for incidental use to 81 Astwick Road”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has assessed the application on the grounds that the proposed development would not be on land which forms part of the residential curtilage of 81 Astwick Road (the host property). However, there remains some disagreement between the main parties about whether it is garden land or not, and my attention has been drawn to a Certificate of Lawful Existing Development under Section 191 of the Town and Country Planning Act 1990, reference: CB/23/2872/LDCP (Certificate), for the erection of an outbuilding on the land, which has been refused.
3. It is not my role to determine the legality of the use of the site. As such, although the proposed development would be on land that immediately adjoins part of the rear garden of the host property, boundary fences and hedgerows separate it from the garden. As such, in the absence of a Certificate, the land falls outside the garden of the host property, on land within the open countryside. I have dealt with the appeal on that basis.

Main Issue

4. The main issue is whether the proposed outbuilding would be suitably located and the effect on the character and appearance of the open countryside.

Reasons

5. The host property and 83 Astwick Road (No 83) form a small ribbon of residential development along the road, within the open countryside. The residential properties front the road and have long rear gardens. The surrounding area has a prevailing rural character, which is relatively flat with open agricultural fields, bounded by tall hedgerows.
6. The proposed outbuilding would be located on land beyond the residential garden of the host property, adjacent to the rear boundary of No 83. While the evidence

suggests that existing buildings were previously located on the land, these have been removed and the land is largely free from buildings and structures.

7. Policy SP7 of the Central Bedfordshire Local Plan 2015 - 2035 (the LP) sets out that, outside Settlement Envelopes, the intrinsic character and beauty of the countryside will be recognised, with only particular types of development permitted, as referred to in the policy, subject to compliance with or support from other development plan policies. Also, Policy HQ1 requires, amongst other things, that all developments are of the highest possible quality and respond positively to their context and are complementary to the existing natural environment, taking account of the landscape setting, landscape character and tranquillity.
8. The proposed outbuilding in use as a garage, workshop and home office, on land beyond the domestic garden of the host property, would not meet any of the exceptions listed in Policy SP7 of the LP. It is also not a development type that gains support from other policies referred to in Policy SP7. As such, conflict arises with the policy.
9. The proposal would occupy land beyond the ribbon of development and in combination with its juxtaposition with the host property and No 83, it would be viewed as a standalone building within the landscape, not associated with the host property. Within this context and with its generous footprint, large width and utilitarian appearance, it would not be viewed as a domestic outbuilding, unlike the majority of other buildings within the gardens of existing dwellings nearby.
10. Even though it would have a single storey height, the proposed building, due to its position next to the side boundary, and its bulk and mass, would be visible from the road, in between No 83 and 85 Astwick Road and from the vehicle access point. The dark facing materials would exacerbate the size and appearance of the proposal which would not appear proportionate within the context of the site, neighbouring dwellings and the landscape overall. As a result, it would have a stark and discordant appearance.
11. Existing hedgerows and vegetation, supplemented by proposed landscaping would provide some screening opportunities but planting would appear artificial in the context of the site. As such, existing and proposed screening opportunities would not suitably overcome the concerns that I have identified.
12. Reference has also been made to other examples of outbuildings approved nearby. In particular, a previous planning permission¹ for new car ports to the front of barn conversions along Astwick Road. There is no question that domestic outbuildings within residential gardens, including those with generous gardens and unusual curtilages, could be acceptable in principle in this landscape setting. Inevitably, it is the detail and specific context of any development which determines whether it is acceptable in practice. Having considered the location, size and design of this proposal, and its effect on the character and appearance of this area, for the reasons given, I consider that there would be unacceptable harm. Given this, these examples do not add weight in favour of the development. Accordingly, as I am required to do, I have determined the case before me on its own merits.

¹ Coouncil Reference: CB/21/03810/FULL

13. Consequently, for the reasons outlined, I conclude that the proposed outbuilding would not be suitably located, and it would be harmful to the character and appearance of the open countryside. As such, the proposal conflicts with Policies SP7 and HQ1 of the LP. It would also fail to accord with Policy SP2 of the LP which sets out that development that accords with the development plan will be approved.

Other Matters

14. Solar panels would be installed on the roof and electric vehicle charging is proposed to promote renewable energy. Biodiversity enhancements could also be achieved. The proposed outbuilding would also provide vehicle parking as well as a modest workshop area. It would also provide a small home office for the occupants of the host property and their business, potentially reducing the need to travel. However, the weight I can attribute to these benefits is tempered as I have limited information which demonstrates that alternative accommodation, within the garden of the host property, would not be possible. Therefore, within the context of the development proposed, I attach limited weight to the identified benefits.
15. There is no dispute between the parties that the Council has raised no concerns with regard to highways impacts or the effect on the living conditions of nearby residential properties. However, these are a requirement of planning policy and are neutral matters to which I attribute limited weight also.
16. Taking the above matters into consideration, the benefits would not outweigh the identified harm that would be caused by the location of the proposed outbuilding and its harm to the character and appearance of the countryside.

Conclusion

17. For the reasons given above the appeal should be dismissed.

N Bromley

INSPECTOR