
Appeal Decision

Site visit made on 9 April 2025

by **Rachel Hall BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 May 2025

Appeal Ref: APP/P0240/W/25/3358813

31C Mount Pleasant, Aspley Guise, Central Bedfordshire MK17 8JZ

- 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 I Childerley against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/03002/FULL.
 - The development proposed is erection of ancillary outbuilding.
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Decision

1. The appeal is allowed and planning permission is granted for erection of ancillary outbuilding at 31C Mount Pleasant, Aspley Guise, Central Bedfordshire MK17 8JZ in accordance with the terms of the application, Ref CB/24/03002/FULL, and the plans submitted with it.

Application for costs

2. The appellant has submitted an application for an award of costs against Central Bedfordshire Council. That application is the subject of a separate Decision.

Preliminary Matters

3. A revised National Planning Policy Framework (Framework) was published on 12 December 2024. References in this Decision are to the new paragraph numbers. For the purposes of this appeal the relevant paragraphs of the Framework are consistent with those in the previous version.
4. The ancillary outbuilding (the outbuilding) has been implemented and is therefore considered retrospectively. Part of the outbuilding is located within the boundary of the appeal site garden, and part is within the boundary of the adjoining paddock. The Council raised a concern that the description of development did not specifically refer to the change of use of the part of the appeal scheme that falls within the paddock. However, the outbuilding is described as being ancillary and on the submitted plan is shown to be used as garden storage and gym space. As such, it is sufficiently clear that the appeal scheme includes change of use of the footprint of the building that falls within the paddock. The red line boundary for the appeal includes the footprint of the outbuilding but excludes the remainder of the paddock. Therefore, change of use of any land outside of the defined red line does not form part of the appeal.

Main Issues

5. The main issues are:
 - whether the appeal scheme is inappropriate development in the Green Belt;

- whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

6. Policy SP4 of the Central Bedfordshire Local Plan 2015-2035 (July 2021) (Local Plan) requires that development in the Green Belt is assessed in accordance with policies in the Framework and National Planning Practice Guidance. Within settlements that are washed-over by Green Belt, such as Aspley Guise, the policy requires that proposals pay particular regard to the character and openness of the site and its surroundings.
7. The exception to inappropriate development in the Green Belt under paragraph 154.c) of the Framework requires consideration of whether an extension amounts to a disproportionate addition over and above the size of the original building. Original building is defined in the Framework as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. The appellant submits that the original building has not been extended and no substantive evidence indicates otherwise. Detached buildings can be considered as extensions for the purposes of paragraph 154.c). The use of the outbuilding for garden storage and gym is in keeping with it being an extension to the existing dwelling. The appeal scheme comprises a single storey building with a modest footprint and scale that is clearly subservient to the existing house. Consequently, the appeal scheme does not comprise a disproportionate addition. Therefore, it falls within the exception to inappropriate development under paragraph 154.c).
8. The appeal scheme is not entirely hidden from view from Mount Pleasant. Nevertheless, its simple design, modest scale and rendered finish is unobtrusive in this context and does not detract from the rural, residential character of its surroundings. Furthermore, it is sufficiently small scale and remote from neighbouring houses so as to avoid harming outlook or the sense of openness for neighbouring occupants. It is thus acceptable having regard to the character and openness of the site and its surroundings. Therefore, the appeal scheme is not inappropriate development in the Green Belt. As such, it accords with the Framework and Policy SP4 of the Local Plan.

Other considerations

9. As the appeal scheme is not inappropriate development in the Green Belt, it is not necessary to undertake a separate consideration of its effect on Green Belt openness or evidence of very special circumstances. Similarly, as it is not inappropriate development, it does not amount to encroachment into the Green Belt. Moreover, in the circumstances of this appeal, the extent to which it complies with permitted development rights is not relevant to the consideration of whether planning permission should be granted.

Other Matters

10. Whether or not other changes have been made at the appeal site without the relevant permissions, and any implications of those on vehicular movements and highway safety, is not for consideration in this appeal. Furthermore, its

retrospective nature does not alter the assessment of its planning merits. Although planning permission may have been refused for other similar structures in the locality, and consistency in decision making is important, each proposal must be determined in light of its specific circumstances and supporting evidence. As such, allowing this appeal does not set a precedent for allowing other proposals in the Green Belt.

Conditions

11. As the appeal scheme is retrospective, I have therefore allowed the appeal on the basis of the submitted plans. Given the small scale nature of the proposal and its location with a domestic garden, a condition relating to landscape enhancement is not necessary here. Change of use of the building to business premises or holiday accommodation would require planning permission. Consequently, a condition to require that the use remains ancillary to the dwelling is not necessary.

Conclusion and conditions

12. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed.

Rachel Hall

INSPECTOR