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## Appeal Decision

Site visit made on 22 July 2025

**By Terrence Kemmann-Lane JP DipTP FRTPI MCMI**

an Inspector appointed by the Secretary of State

**Decision date: 04 August 2025**

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**Appeal Ref: APP/P0240/W/25/3362569**

**50 Sutton Mill Road, Potton, Sandy, SG19 2QB**

- 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 Robert Hutchinson against the decision of Central Bedfordshire Council.
  - The application Ref is CB/24/02775/FULL.
  - The development proposed is the erection of a maintenance and storage building for plant and machinery, laying of hardstanding, and formation of private way (Retrospective).
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in this case are: i) the effect of the proposal on the character and grain of the open countryside landscape; ii) the effect of the proposal on highway safety.

### Reasons

3. The site is located to the rear (west) of 50 Sutton Mill Road which is a large two storey detached dwelling, with front detached car port, and front and rear gardens on a spacious plot. The area to the west of the site is a former quarry which appears to have ceased use some considerable time previously. A newly constructed residential development is located to the north of the site, approximately 28 metres from the appeal site boundary. To the east of the site is the boundary treatment and land associated with 48 Sutton Mill Road.
4. The site also straddles a dismantled railway line, part of the old Varsity line between Bedford and Cambridge, beyond which is the recent residential development already mentioned. The appeal building is served via an access track off Carthagen Road to the west, accessed through the former Deepdale Quarry, which is owned by the appellant's neighbour. The character of the surrounding area to the west and south is rural open countryside.

The effect of the proposal on the character and grain of the open countryside landscape

5. The site is within the "6C Everton Heath Greensand Ridge" area, as defined in the council's Landscape Character Assessment (LCA). This area is the easternmost part of the Greensand Ridge and is an elevated landscape with a strong underlying heathland character. The LCA refers to "active and restored mineral extraction works dispersed across the area" with workings generally well screened in the

landscape. The overall strategy in the LCA for this area is to conserve and enhance the landscape, especially the heathland character.

6. The stating point is the policies of the development plan. Policy SP7 of the Central Bedfordshire Local Plan 2015 – 2035 (CBLP), adopted in July 2021, states that outside settlement envelopes, the council will recognise the intrinsic character and beauty of the countryside and only particular types of development will be permitted. The appeal site is outside a settlement envelope, and the proposal is not one of the types of development allowed for in this policy.
7. Policy EE5 of the CBLP states that in order to safeguard the intrinsic character and scenic beauty of the landscape, proposals will need to have regard to the key characteristics and sensitivities of the site and its setting, as set out in the LCA. All development will be required to respect, retain and enhance the character and distinctiveness of the local landscape by reflecting the scale and pattern of the surrounding landscape and existing settlement form, and integrating on-site mitigation sympathetic to local character. I have also borne in mind other policies, such as Policy HQ1 of the CBLP requiring high quality development that responds positively to its context.
8. The appellant recently purchased the land on which the building has been erected, and states that up until that time it was previously in equine use by the neighbouring landowner, and that former stables/buildings/structures have been removed from the site. However, the Council does not hold any records of previous planning permission/s for equestrian use, menage use or buildings in this location. The appellant's documentation refers to the main site as 'amenity land'. Thus it would seem that the only lawful use of the land is for agriculture.
9. The particular situation of the site is emphasised by the appellant. To the north, and partly on the land owned by the appellant, is a disused railway line, beyond which is the large newly constructed residential development, and to the west is the former Deepdale Quarry, through which the access runs. The quarry appears to have largely merged into the landscape over time, and the contours of the land and the amount of tree screening means that the site is effectively hidden from any public viewpoint, other than the recent residential development.
10. It is explained on behalf of the appellant that there is no room for access at the side of the appellant's dwelling, so a private way linking to the quarry track was formed, leading to Carthagen Road. The formation of a 'private way' effectively starts at the boundary of the appellant's land. The quarry track appears to have been in existence for many years.
11. The requirement for the building is stated to be for purposes of maintaining approximately 0.7 acres of grass and trees and bushes: 191 linear metres of laurel bushes, 29 no. conifer trees (mature 16ft high currently up to 35ft), 1 no. large oak tree (35ft high currently), 15 no. silver birch trees (sizes from 12ft high currently to 25 to 30ft high), maple trees (14ft high currently), cherry trees (20ft high currently), 1 no. chestnut tree (30ft high plus), and various other bushes and plants above 8ft. The maintenance equipment includes a tractor, a cherry picker, a heavy duty road grader, a ride on mower, and various hand tools, wheelbarrows, and other gardening equipment.

12. It is difficult to reconcile the requirement for some of this equipment with 0.7 acres of grass, even taking account of the considerable number of trees and bushes. Furthermore, the size of the building appears rather generous, particularly in terms of the eave's height of just over 4m. Clearly a large floor area makes access and manoeuvring easier, and personal circumstances will dictate the desirable form and size of building. But I cannot see that there is any necessity for this size of building on the basis of the stated use. Taking the appellant's case at its most persuasive, I cannot see that there is any justification for the appeal building that could override the policy objection and the agricultural status of the appeal site.
13. Furthermore, it has to be said that the site and materials of the building are somewhat unfortunate. It can be clearly seen from part of the new housing development, and its appearance is more of a commercial building than one connected to agriculture. The building is finished in black metal cladding with a galvanised metal roller shutter door on the western elevation, black metal personnel door on the southern elevation, and black metal roof with six rooflights. Planting has taken place that in due course will probably effectively screen the building from the housing to the north. However, this planting is not of native species, and this does not overcome the policy objection. This is particularly so when the site is not within a residential curtilage.
14. A point that is raised in support of the development is that a substantial building is needed to prevent theft. It is said that there is an alarming rise in organised rural crime, referencing the National Farmers Union Mutual 'Rural Crime Report 2024'. This must be taken as more than anecdotal reporting. Had there been a clear need for the building, justified by land that needed the degree of maintenance and necessary equipment, this would be a strong point in its favour. However, in the planning balance, and the specific circumstances of this case, it is not decisive. The construction of the building is contrary to planning policy, without any sufficient material consideration that would outweigh this objection.

The effect of the proposal on highway safety

15. I can deal with this issue very shortly. Although there has been no speed survey of traffic on Carthage Road, having viewed the access point and the degree of visibility in each direction, and bearing in mind the very limited use that would be made of the access as a result of the appeal development, I am satisfied that this refusal reason cannot be supported.

## **Conclusion**

16. For the reasoning set out in paragraphs 5 to 14 above, the appeal building is an incongruous feature in the countryside, resulting in an unacceptable visual incursion and harmful impact on the character of the landscape, contrary to planning policy for the area. Therefore, the appeal will be dismissed.

*Terrence Kemmann-Lane*

INSPECTOR