

Appeal Decision

Site visit made on 26 September 2016

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29th September 2016

Appeal Ref: APP/P0240/D/16/3157753

The Edge, Blackhill Lane, Pulloxhill, Bedfordshire MK45 5HQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Tony Jordan against the decision of Central Bedfordshire Council.
 - The application Ref CB/16/01594/FULL, dated 12 April 2016, was refused by notice dated 19 July 2016.
 - The development proposed is extension and alterations.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has briefly referred to its emerging Local Plan but as its provisions are at an early stage of preparation they are of very limited weight and are not a determinative matter in this appeal.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site encompasses a brick built semi-detached bungalow with a dark tiled roof situated on the periphery of the settlement of Pulloxhill. It is located towards the south eastern end of Blackhill Lane, a narrow thoroughfare which leads to a network of public footpaths and rights of way. There is a significant drop in the level of the land to the south of the appeal site just beyond the existing bungalow, which affords inter visibility with the open countryside.
 5. The appeal scheme is for the erection of a part single and part two storey extension to the south of the existing bungalow. The design rationale is for the extension to appear single storey in scale from Blackhill Lane with the ground floor reminiscent of an exposed basement. The extension would be approximately 8m high with a wraparound balcony.
 6. The ridge height of the proposed extension would be taller than the existing bungalow. The extension would also have a considerable depth and larger proportions than the existing bungalow, such as the wider spans of the gables. The breadth and position of the extension would elongate the built form of the
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property. This would result in a very long overall width and a sprawling and unintegrated appearance. As such, I share the view of the Council that the extension would not be subservient to the existing bungalow. On the contrary, it would be a dominant and overpowering addition and thus contrary to Paragraph 7.03.01 of the Central Bedfordshire Design Guide.

7. Although the proposal would contradict the guidance contained within the Council's Design Guide, a conflict with guidance alone is not a sufficient basis on which to find a scheme objectionable. There must be material harm arising from the conflict. In this respect I note that the Council's Case Officer stated in their report that the development would primarily be visible from land to the south, which is within the ownership of the appellant, and that the proposal is unlikely to be particularly visible from a public vantage point.
8. However, it is difficult to reconcile these statements with what I observed on site. The proposed extension, including part of the lower ground floor, would be visible from Blackhill Lane, across the open driveway of the appeal site, and vantage points from the adjoining public footpath network. As such, the extension would have a visual presence in views from the public realm. No substantive evidence has been submitted in the form of visualisations or photomontages to demonstrate this would not be the case or that the visual impact of the extension could be mitigated successfully through a landscaping scheme. As a result, I cannot be satisfied that the extension would assimilate into the landform and that the impact would be as contained as that suggested by the appellant. Consequently, I find that there would be material harm to the character and appearance of the area arising from the proposed extension.
9. In reaching the above view I have considered the scale and design of The Leys, which is the adjoining property. This property has a one and a half storey form and thus a ridge greater than the height of the proposed extension. However, Blackhill Lane has a gentle slope from north to south. The ridge heights of the properties within the lane descend with the slope of the land. The proposed extension, with a ridge height above the host bungalow, would jar with this discernable pattern and would thus appear incongruous.
10. I therefore conclude that the proposed extension would harm the character and appearance of the area. As such, the extension would be contrary to Policy DM3 of the Core Strategy and Development Management Policies 2009, which requires new development to be appropriate in scale and design to the setting. This is an aim consistent with the National Planning Policy Framework (p15).

Other matters

11. I note that the extension would provide additional accommodation for the appellant and his large family. But in this instance insufficient evidence has been presented to suggest these personal circumstances should outweigh the harm I have identified.

Conclusion

12. For the reasons given above, and having regard to all other matters raised, I conclude the appeal should be dismissed.

Graham Chamberlain
INSPECTOR