
Appeal Decision

Site visit made on 25 October 2016

by Chris Forrett BSc(Hons) DipTP MRTPI

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

Decision date: 16th November 2016

Appeal Ref: APP/K0235/W/16/3156401

**Greenacre, 36 Silver Street, Great Barford Bedford, Bedfordshire
MK44 3HX**

- 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 James Gill against the decision of Bedford Borough Council.
 - The application Ref 16/00872/FUL, dated 23 March 2016, was refused by notice dated 16 June 2016.
 - The development proposed is the erection of 1 No two bed bungalow and all ancillary works.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. The Bedford Borough Local Plan 2002 (LP) and the Bedford Development Framework Development Plan Document Core Strategy and Rural Issues Plan 2008 (CS) both pre-date the National Planning Policy Framework (the Framework). However, the policies contained within these documents relevant to this appeal are broadly consistent with the Framework. Therefore I give them substantial weight.

Main Issues

3. The main issues are the effect on the character and appearance of the area and on the living conditions of the future occupiers of the development with particular regard to private amenity space, outlook and privacy.

Reasons

Character and appearance

4. The site is located within the Settlement Policy Area where, in principle, new residential development is acceptable. Great Barford has been identified as a key service centre and has a range of local facilities and is considered to be a sustainable location. The appeal site fronts onto Pym's Close and is located to the rear of No 34 Silver Street. The land was, until relatively recently, part of the rear garden of No 36.
 5. The majority of the properties in the area are two-storey in scale with private garden areas to the rear of their respective dwelling. The properties on the opposite side of Pym's Close, to the west of the site, front onto a 'common' area with the rear aspect facing the road. This part of the road frontage is
-

dominated by single storey garages and parking areas on its north side which exhibits a significantly different characteristic to the appeal proposal. The garages are, visually, seen in the context of their host dwellings. In relation to the south side, there is an inactive street frontage as a result of the rear boundary treatment of the Silver Street properties.

6. Notwithstanding that the appeal proposal would, visually, be more closely associated with Shelton Court, which I understand is a complex of 8 apartments. The Shelton Court building is essentially a two storey structure which is set back from the road frontage with a parking area to the fore.
7. In contrast with other development in the area, the appeal proposal would be sited approximately 2 metres rear of the pavement with its garden area to the side of the building. The layout of the proposal, with the building sited close to the pavement, would give the impression of a cramped form of development and would be out of character with the existing development in the surrounding area.
8. Whilst the building would have its front elevation at 90 degrees to Shelton Court, given the road layout in the vicinity of the site the proposal would respond positively to the street. However, given the low level of the bungalow its scale would not relate well to Shelton Court, nor would it be seen as an ancillary building to a host dwelling in a similar manner to the garages on the opposite side of the road.
9. I also acknowledge that the introduction of a new dwelling fronting Pym's Close would have a positive impact on the streetscene by creating an active frontage. However, this benefit does not outweigh the overall harm to the character and appearance of the area.
10. For the above reasons, I conclude that the dwelling would lead to unacceptable harm to the character and appearance of the area contrary to the provisions of Policies BE30 and H24 of the LP and Policy CP21 of the CS which amongst other things seeks to protect the character and appearance of the area. This would also be at odds with the Framework which seeks to secure good design.

Living conditions

11. In respect of the private amenity space for the future occupants, I acknowledge that the length of the garden falls short of the guidance contained in the Residential Extensions, New Dwellings and Small Infill Developments Supplementary Planning Guidance (RENDSID).
12. However, the development would provide approximately 80 square metres of private garden area. I consider that the size of the garden proposed would be sufficient to meet the reasonable expectations of the occupiers of the new property. That is to say the space would be of a size to allow occupiers to carry out all the domestic activities one would normally expect for the size of the dwelling.
13. Turning to outlook, the dwelling would have a kitchen and living area window facing the main garden area, with a further living room window and a bedroom window facing the street. The other bedroom window faces the driveway with the boundary fence approximately 3.3 metres away. Given the location of these windows sufficient natural light would be able to enter these habitable rooms and would ensure that their interior would not be oppressive to the

future occupants. There would also be views over the garden area and the street as well as over the parking area. I therefore consider that this would result in an acceptable living environment for the future occupiers of the dwellings.

14. In addition to the above, the Council have raised concerns over potential views into the property as a result of its location 2 metres rear of the pavement. In this respect I acknowledge that the property is much closer to the street than other properties in the area. However, that in itself would not give rise to an unacceptable level of overlooking (or lack of privacy) to the future occupiers of the dwelling.
15. For the above reasons, I consider that the dwelling would achieve an acceptable living environment for its future occupiers. Therefore the proposal accords with the provisions of Policy BE29 of the LP and the overarching principles of the RENDSID which amongst other things seek to protect the amenity of the occupiers of residential properties. The development would also accord with the design aims of the Framework in respect of living conditions.

Other matters

16. I have had regard to the matters raised in the representations including potential noise from the air source heat pump and highway safety matters.
17. Whilst no technical details of the air source heat pump have been provided, I am satisfied that any unacceptable levels of noise arising could be dealt with by means of a suitably worded planning condition should the appeal be allowed.
18. In respect of highway safety, Pym's Close is a quiet cul-de-sac, although I understand that it may be busy at the start and end of the school day. However, the development would provide a suitable pedestrian visibility splay and would not generate a significant level of additional traffic. I note that the highway development control officer raised no objection to the development and I have no reason to disagree.

Conclusion

19. Taking all matters into consideration, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR