
Appeal Decision

Site visit made on 25 April 2017

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

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

Decision date: 22 May 2017

Appeal Ref: APP/K0235/W/17/3167395

15-17 Rothsay Place, Bedford MK40 3PX

- 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 Bhatt (Salvete Care Home) against the decision of Bedford Borough Council.
 - The application Ref 16/02921/FUL, dated 11 October 2016, was refused by notice dated 5 December 2016.
 - The development proposed is the installation of a dormer window to a rear elevation.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. During the Council's determination of the planning application, amended plans were considered showing a reduced sized dormer. The appeal was considered on this basis.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Bedford Conservation Area.

Reasons

Character and appearance

4. The appeal site comprises a care home which consists of two properties, a Victorian villa and an attached converted and extended 1960's dwelling. The proposal relates to the villa which has been extended and altered to the rear.
 5. The appeal site lies within a part of the Conservation Area characterised by individually designed Victorian villas which are generally set in spacious plots within walls and hedges. Serving roads have verges with landscaping. Such characteristics are identified by the Bedford Character Area Appraisal (BCAA) 2008 which identifies Rothsay Place to be within an area of 19th Century housing. Although many dwellings are individually designed, they possess attractive architectural detailing in and around bay windows, porches and fenestration. Buildings are also constructed with high quality facing brick and roof tiles reflecting their age. Such historical and architectural qualities are of significance and value, and are of special interest to the Conservation Area as a whole.
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6. The appeal property has been unsympathetically extended and altered to the rear, and is attached to the modern constructed and extended building at No 17. The roof of the appeal property has had replacement tiles, roof lights, sun tubes and gas ventilation chimneys. Such extensions and alterations do diminish its historical and architectural qualities. However, the frontage of the building has retained much of its historical and architectural character and appearance with original features still existing. In respect of the rear elevation, it also still has legibility with many original features retained including red brick construction, two storey bay window with sash windows, chimney and roof profile. For these reasons, this Victorian property makes a positive contribution to the character and appearance of the Conservation Area, even from the rear. Such a view is supported by the BCAA which also indicates the building to be of positive merit.
7. The proposed dormer would be located above a cantilevered bay window which is centrally positioned on the rear face of the appeal property. However, the dormer width would almost match that of this bay window below and would be constructed almost directly above it leaving little exposed roof. With its pitched roof design, its height would also be more than three quarters of that of the roof. Its positioning so close to the roof eaves would also result in considerable flank depth to the dormer. Consequently, it would appear large and bulky dominating the roofscape of the appeal property. Furthermore, it would not be in keeping with traditional dormers in the area which are more modestly proportioned and sized, especially in respect of the roof extent below the dormers.
8. The finish of the dormer would be of a small concrete plain tile and the roof would be pitched with a frontage hip and tiles to match the main roof. There would also be UPVC windows. Nevertheless, such materials are modern and do not reflect more traditional dormer construction of brick or tile hanging, and white timber windows in the surrounding area. The conservation style roof lights would not alter this adverse impact.
9. My attention has been drawn to a large dormer at 29 Rothsay Place but this is located between two three storey projecting bays making the dormer appear a secondary feature. On Castle Road, there is a variety of differently designed and sized dormers but this street is noticeably more built-up in its character than that surrounding the appeal site. Some of the dormers also appear overly large and would serve to demonstrate the unacceptability of the proposed dormer here. In any case, every proposal has to be considered on its particular planning merits.
10. There would be limited views of the dormer window from Rothsay Place but its adverse impact would be visible from a number of properties to the rear, as well as the appeal site itself. Under the National Planning Policy Framework (the Framework), the significance of a heritage asset is defined as the value to this and future generations. Here, the traditional architectural and historic qualities of the Conservation Area are of great significance and value, to which the appeal property makes a positive contribution. For these reasons, the lack of public prominence of the dormer would not provide clear and convincing justification to allow this proposal given that heritage assets, such as Conservation Areas, are irreplaceable.

11. In conclusion, the development would fail to preserve the character and appearance of the Conservation Area for the reasons indicated. Accordingly, the proposal would conflict with Policies BE09, BE11, BE30 (ii) & (x) of the Bedford Local Plan 2002, and policies CP21 and CP23 of the Bedford Council Development Plan Document Core Strategy and Rural Issues Plan 2008, which collectively and amongst other matters, require the protection of character and appearance of Conservation Areas, compliance of proposals with the relevant statutory test, consideration of the impacts of new development having regard to the quality of buildings, roofscape effect, the visual impact of the development and its relationship to context and high quality design.

Other matters

12. In terms of the National Planning Policy Framework (the Framework), the proposal would result in less than substantial harm to a heritage asset. In this situation, paragraph 134 of the Framework states the harm should be weighed against the public benefits of the proposal.
13. The Care Quality Commission (CQC) has rated the service at the care home as 'Good' and my attention has been drawn to CQC 's document 'Raising Standards, Putting People First' 2013. Amongst its many recommendations, it indicates that residents need to be put at the heart of the care provision and staff need to work in partnership with other health and social care providers to ensure people's needs are met. Much of the existing office space is cramped and poorly located, and there are specific needs for a training room and private areas, where confidential administrative or health care practitioner meetings can take place as set out in an action plan.
14. The proposed dormer would contain an office for a meeting room for administration work and for health practitioners. However, works have already been carried out which have gone some way to enhancing the existing facilities for the care home. Furthermore, there is little detailed evidence that the proposal is the only way forward given the overall extent of buildings and site, including whether other floorspace can be used for the purpose identified within the dormer floorspace, and indeed whether other less harmful options have been explored.
15. For the reasons already indicated, there would be an adverse effect on a heritage asset, for which considerable importance and weight has to be attached. In this regard, I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Area in accordance with the statutory duty under s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Accordingly, the less substantial harm, identified under the Framework, would not be outweighed by any public benefits.

Conclusion

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

Jonathon Parsons

INSPECTOR