
Appeal Decision

Site visit made on 24 May 2017

by John Morrison BA (Hons) MSc MRTPI

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

Decision date: 12 June 2017

Appeal Ref: APP/K0235/W/17/3169686
2 Lincoln Road, Shortstown MK42 0UX

- 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 Lockyear against the decision of Bedford Borough Council.
 - The application Ref 16/03151/FUL, dated 3 November 2016, was refused by notice dated 22 December 2016.
 - The development proposed is the erection of one bungalow and one two storey dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description of development as it appears on the appeal form since this most accurately reflects the development to which the appeal relates. It is clear the Council are content with this approach since the same description appears on their decision notice. I have proceeded on this basis.
3. The Council granted planning permission for the erection of a detached bungalow on the appeal site in April 2014¹. The Council confirm that all necessary pre commencement conditions have been discharged and works have commenced on site. This planning permission is therefore extant. I have referred to this in my findings below.

Main Issues

4. There are two main issues. These are the effect of the proposed development on a) the character and appearance of the area and b) the living conditions of future occupiers with specific regard to the provision of private garden space.

Reasons

Character and Appearance

5. The appeal site is a rectangular parcel of land that opens up onto Stirling Way, at the end of Lincoln Road. It is currently laid to grass but some ground works appear to have taken place and there is construction fencing to the road facing boundaries. A high sided conifer style hedge separates the site from the curtilage of Number 2 Lincoln Road. The area is urban, strongly characterised

¹ Bedford Borough Council Reference 14/00295/FUL

by single tier frontage development. Terraced and semi-detached built form dominates with a noticeable uniformity to plot spacing and distinct setbacks from facing roads. Plots are regular with mainly large, elongated and undeveloped rear gardens.

6. Taking into account the extant planning permission and some scattered examples of more modern infill dwellings, detached built form would not be unduly harmful in isolation. Nevertheless, and notwithstanding the fact that they would face different streets, the proposed development would provide for two dwellings in a tandem arrangement. They would also be afforded noticeably truncated garden spaces, considerably smaller than those established in the wider area. The proposed development would therefore fail to reflect the prevailing character of the area.
7. Notwithstanding the quality of the architecture that has been employed in their overall design, I also have concern that the lack of a clearly defined frontage to the bungalow particularly and the limited set back from its facing road would lead to an incongruous appearance and subsequently add to the harm I have found to the character and appearance of the area.
8. The proposed development would therefore conflict with saved Policies H24, H38, BE30 and BE37 of the Local Plan², Policy C21 of the Core Strategy³ and design code N3 of the Residential Extensions and Infill Developments design guidance⁴. Amongst other things and along with the Framework⁵, these policies and additional guidance seek to ensure high quality and contextually appropriate design and appearance to new development that is sensitive to local character and form.

Living Conditions

9. The proposed two storey dwelling that would face Lincoln Road would have a rectangular garden extending to the rear, towards the bungalow. The bungalow would be sat on a much smaller plot, with a contextually small garden space extending around the rear and side of the building.
10. I note the expectation of design code N3 of the Council's Residential Extensions and Infill Developments design guidance. Specifically, it states that, in new development areas where amenity standards are being created, individual rear garden depths should be at least 13 metres on average. Whilst further reason is given, N3 is aimed more at how spacing may affect the character of an area in conjunction with the other policies I have referred to above. The code sets out 13 metres as an average figure without quoting minimums and does not take clear account of different types of dwellings. The standards are also of some age.
11. The overall size of the garden for the two storey dwelling, for the purposes of amenity enjoyment, would be more than sufficient in my view. Whilst the garden for the bungalow would be small in comparison, the nature of the accommodation would be such that it would not suit an extensive curtilage. When looking at the size of the gardens in the context of their effect on the

² Bedford Borough Local Plan 2002

³ Bedford Development Framework: Core Strategy and Rural Issues Plan Development Plan Document 2008

⁴ Bedford Borough Council Residential Extensions, New Dwellings and Small Infill Developments Design Guidance 2000

⁵ The National Planning Policy Framework 2012

living conditions of future occupiers alone therefore, I do not find harm. This is obviously distinct from my findings on the size of the gardens in the context of the established character of the area.

12. In this case therefore, and with regard this particular issue, I do not find conflict with code N3 of the Residential Extensions and Infill Developments design guidance in respect of whether the garden sizes are appropriate for amenity purposes. In this respect, the proposed development would also comply with one of the core principles of the Framework which is to ensure a good standard of amenity for existing and future occupiers of land and buildings.

Other Matters

13. I accept that the principle of new housing in the area would be acceptable, having regard to both the extant planning permission and the ready access residents would have to a range of services found locally. Residents would likely use these services and assist in sustaining them. Whilst this may be the case and to some extent these matters weigh in favour of the proposed development, they are not sufficient to justify it in light of the harm that I have found.

Conclusion

14. I have found that harm would not arise to the living conditions of future occupiers but this is not sufficient to make the proposed development acceptable when considered in the context of its shortcomings. Specifically how it would detrimentally affect the character and appearance of the area in the manner that I have set out above. It is for this reason, whilst having regard to all other matters raised, that the appeal is dismissed.

John Morrison

INSPECTOR