



Appeal Decision

Site visit made on 20 June 2017

by Julia Gregory BSc (Hons), BTP, MRTPI, MCMI

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

Decision date: 13 July 2017

Appeal Ref: APP/K0235/W/17/3173159

Greenacre, 36 Silver Street, Great Barford, Bedford, 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 16/03628/FUL, dated 14 December 2016, was refused by notice dated 8 February 2017.
 - The development proposed is the erection of 1 No 1.5 storey dwelling and all ancillary works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on the character and appearance of the area and the effect on the living conditions of occupiers of No 34 Silver Street, in particular the effect on outlook.

Reasons

Character and appearance

3. The land on which the dwelling would be sited comprises a roughly rectangular section of land fronting onto Pym's Close. The land was formerly part of the garden of No 36 Silver Street but has been sectioned off. It lies mostly to the rear of No 34, a detached dwelling in Silver Street.
4. The dwelling would be the only property on this side of Pym's Close and it would face the rear of the properties to the north, and where the Close turns towards the north. The north side of the Close is dominated by garages at the rear of dwellings.
5. The dwelling would be sited with its front elevation some 2.7m from the back of the footway. Its height would be similar to Shelton Court to the east. Nonetheless, rather than relating well to Shelton Court, because it would be on a different section of frontage at right angles to it, the dwelling would appear as a building isolated from others on the frontage. It would be much larger in scale and form than the ancillary buildings predominating elsewhere. Those ancillary buildings form much of the character of the street scene.
6. Although described as 1.5 storeys high, the second floor would be only restricted in head height for small sections of the front and rear at first floor where the rooms would utilise part of the roof structure. The building has two

storeys. The height of the dwelling, rather than helping it to assimilate into the street scene would make it stand out in a section of Close comprising of back gardens. The set back would not be to such an extent that it would prevent the building from dominating this part of the frontage.

7. I conclude that the dwelling would harm the character and appearance of the area because it would fail to integrate with the pattern of development. This would be contrary to Bedford Borough Local Plan (LP) saved policies BE30, H24 and H38, Core Strategy and Rural Issues Plan (CS) policy CP21 and Supplementary Design Guidance Residential Extensions, New Dwellings and Small Infill Developments (SPG) Design codes N1 and N3.

Living conditions

8. The rear elevation of No 34 Silver Street would face towards the rear elevation of the dwelling. There are not many windows in the rear of No 34 facing the site and there would be some 19m separation distance between the two dwellings according to the appellant. Nonetheless, the rear wall, 5m to the eaves according to the appellant, would be only 1m from the fencing on the common boundary.
9. The rear elevation of relatively unrelieved brickwork and roofing, with little detail to create interest in the elevation, would be imposing on the enjoyment of the garden because of its proximity to the common boundary. The garden of the new dwelling would not have the 13m depth advocated in SPG Design Code N3.
10. The rear elevation would comprise a high plain brick wall extending some 10.2 in length and overall the dwelling would be 7.1m high to the ridge of the roof. This would be harmful to outlook because it would excessively enclose much of the garden of No 34 which is extensively used in its end section where there is a dog kennel and shed.
11. Whilst there would be no overlooking caused because there would only be a small obscure glazed window and small roof lights in the rear elevation, the relationship would be oppressive to the enjoyment of No 34 because of the relationship of the dwelling to No 34's garden.
12. I conclude that the development would be harmful to living conditions contrary to LP saved policy BE30 advocating good design, saved LP policy BE37 which requires respect for neighbour's amenity, CS policy CP21 which requires consideration of context and SPG Design Code N7 which identifies that even if complying with other criteria, if overbearing, it will not be acceptable.

Other matters

13. The increase in surveillance from the dwelling and an active frontage in the street scene in Pym's Close would not outweigh my concerns about the main issues.
14. I acknowledge that the appellant has sought to overcome objections to a previous scheme which was dismissed on appeal.¹ The inspector in that case was only considering the scheme as submitted. It is not the role of an

¹ APP/K0235/W/16/3156401

Inspector to determine the appropriateness of any scheme which might come forward.

Conclusions

15. For the reasons given above I conclude that the appeal should be dismissed.

Julia Gregory

Inspector