
Appeal Decision

Site visit made on 20 October 2017

by K Ford BSocSc (Hons) MSc MRTPI

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

Decision date: 20th November 2017

Appeal Ref: APP/K0235/W/17/3179965

Site of former 111 Warwick Avenue, Bedford MK40 2DH

- 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 Blakeney Estates Ltd (Mr Peter Doyle) against the decision of Bedford Borough Council.
 - The application Ref 17/00519/MAF, dated 8 September 2016, was refused by notice dated 24 May 2017.
 - The development proposed is erection of 14 No 2 bedroom flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - The character and appearance of the area, including whether it would preserve or enhance the character or appearance of the Bedford Conservation Area.
 - The living conditions of the occupiers of No 61 Shakespeare Road in terms of privacy, and whether future occupiers of the proposed flats would enjoy satisfactory living conditions, with particular reference to noise and disturbance.

Reasons

Character and Appearance

3. The appeal site is located within The Poets sub-area of the Bedford Conservation Area, a residential area characterised by large plots of detached houses and flats set back from the road. Street trees, landscaping and gaps between buildings contribute to the spacious character which defines the area. More recent development contrasts with the older properties and lacks the detail and refinement of the more established buildings.
4. The proposal would fill the majority of the plot and be located close to 3 of the boundaries. Whilst this would allow parking to be positioned away from public viewpoints at the rear of the site, the substantial height, scale and massing of the development would dominate the plot leaving little space around it. The reduction from 3 to 2 storeys at the rear of the building to fit in with surrounding development would do little to ameliorate its impact.

5. The unbroken elevations on the east and west of the building along with the minimal indent on the front would lack variety and be out of keeping with the immediate neighbouring buildings. The proximity of the building to the boundaries of the plot would offer minimal opportunity for landscaping to soften the impact of the development. The proposal would consequently be overbearing and would fail to respect the spacious character of the area. Its impact would be exacerbated by the prominent corner location of the site making the development highly visible in the street scene.
6. The proposal seeks to mimic design features and materials such as timber detailing found elsewhere in the area, but there is a lack of the refinement that is found on the older properties. String courses would emphasize the width of the building in contrast to the vertical emphasis of nearby properties that make a positive contribution to the area. The proposed dormers would be wide and squat, again contributing to a horizontal emphasis. The small bay windows would fail to have any presence as a design feature in the context of the scale of the proposal.
7. The proposal would seriously harm the character and appearance of the area. It would also adversely affect the valued qualities, significance and special interest of the Conservation Area and would therefore fail to preserve or enhance its character and appearance. Whilst the harm to the significance of the Conservation Area would be less than substantial, the public benefits, namely the development of a vacant site to provide housing, would not be sufficient to outweigh the harm the development would cause. The proposal would therefore conflict with those parts of Policies BE29, BE30 and BE37 of the Bedford Borough Local Plan 2002 (Local Plan) which require new development to be designed to the highest standards, have regard to visual impact and respect the context of the site. It would also conflict with Policies BE9 and BE11 of the Local Plan and Policies CP21 and CP23 of the Core Strategy & Rural Issues Plan 2008 (Core Strategy) which requires new development to preserve and where appropriate enhance the character and appearance of a Conservation Area.

Living Conditions

8. The rear gable end windows of 61 Shakespeare Road would face onto the side elevation of the proposal which would contain primary windows to habitable rooms. Irrespective of whether views towards No 61 from these openings would be offset or direct, the distance between the 2 buildings would result in loss of privacy of the neighbouring residents. The proposal would therefore conflict with Policies BE30 and BE37 of the Local Plan and Policy CP21 of the Core Strategy which require development to have regard to good practice in urban design, including respect for the standard of amenity/privacy presently enjoyed by adjoining occupiers.
9. The proposal would be located adjacent to an electricity sub-station which has potential to emit significant levels of low frequency noise. Notwithstanding decisions relating to previous permissions and development on the site, no evidence has been presented to indicate whether or not the living conditions of future occupants of the proposal would be harmed by the proximity of the sub-station to the flats. I cannot therefore be satisfied that the development would not conflict with saved Policy BE30 of the Local Plan which requires consideration to be given to the suitability of the existing noise environment.

Conclusion

10. For the reasons outlined above, the appeal is dismissed.

K Ford

INSPECTOR