



Appeal Decision

Site visit made on 26 February 2019

by G Jenkinson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th July 2019

Appeal Ref: APP/P0240/D/18/3218966

41A High St, Flitton MK45 5DY

- 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 Owen Duffy against the decision of Central Bedfordshire Council.
 - The application Ref CB/18/03092/FULL, dated 9 August 2018, was refused by notice dated 22 October 2018.
 - The development proposed is a single-storey extension to dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single-storey front extension at 41A High St, Flitton MK45 5DY in accordance with the terms of the application Ref CB/18/03092/FULL, dated 9 August 2018 subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plan: 18-964-P-01 Rev A.
 3. No development above ground level shall commence until details / samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details / samples.

Procedural Matter

2. Whilst the planning application form describes the proposed development as a 'single-storey extension to dwelling', the decision notice issued by the Council uses the description 'single-storey front extension' and I note that the appellant has also used this on the appeal form. The description from the decision notice more accurately sets out the development proposed and therefore I have also used this for the purposes of the appeal, including in my decision paragraph.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area and in particular the Flitton Conservation Area, and the setting of nearby Listed Buildings.

Reasons

Character and Appearance

4. The appeal site comprises a two-storey detached dwelling and associated garden area located in the attractive village of Flitton. The site is located to the rear of other properties along the high street, with wide views across the land to the rear. The site is accessed via a shared driveway. The exterior walls of the appeal property are constructed mostly of brickwork and timber cladding. It also has a cat slide pitched roof, which contains a number of roof windows. The existing dwelling is situated within a large plot.
5. There is no predominant unifying character to the surrounding dwellings that are mostly detached and semi-detached, some with thatched roofs. There are a number of Listed Buildings within the vicinity of the site and the site is within the Conservation Area boundary.
6. The proposal is for a single-storey extension to the principal elevation of the existing dwelling. The extension would protrude out of the elevation, which accommodates the front door to the property. The extension would have a dual pitched roof, which would cut in on one pitch adjoining the existing property to reduce the impact of the roof blocking the first-floor window. The proposal would enlarge the kitchen living room with the addition of sliding doors facing the rear garden and relocation of the front access door.
7. Under S66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 decision making is required to consider the impact of the development on the setting of Listed Buildings and the character and appearance of Conservation Areas.
8. The Listed Buildings within the vicinity of the site are 37,39 and 41 High Street, Baliol House and the Old Vicarage. They are all Grade II listed. The appeal property is not highly visible from these properties given its backland location and, as such, whilst the appeal site is within their setting, the modest overall proportions and low ridge height of the proposal would preserve their setting and reflect the statutory test set out in S66(1).
9. This is a part of the Conservation Area that demonstrates historical and architectural interest. However, the modest single-storey extension that is situated in a backland location will have minimal impact in this regard.
10. The proposal has also been sensitively designed to remain in keeping with the host property in terms of design and materials. It would not be highly visible in the street scene and would relate well to the simple clean lines of the original dwelling. It would be visible from the land at the rear of the property, however, the sympathetic design and low ridge height ensure that the proposal would not look out of keeping with the host dwelling or be harmful to the character and appearance of the area. I therefore conclude that it would cause no material harm to the Conservation Area as a whole and accord with the statutory test under S72(1).
11. The Council consider the proposed extension would result in a significant addition to the footprint of the building and consider this to be excessive. The proposal would clearly increase the footprint of the existing dwelling however,

- given the size of the plot; the extension would be of acceptable proportions and would not be excessive.
12. The appellant refers to a previous appeal decision (APP/P0240/A/10/2130949) relating to the original conversion of the property from a garage to a residential dwelling. It is common ground that permitted development rights were removed from the original decision in order to control unacceptable development in the future rather than to form an effective embargo on any form of further development of the site.
 13. The Council refer to a condition within the previous Inspector's decision, which was imposed to ensure that development remains small scale given the restricted nature of the site. Whilst the site is restricted in terms of the host dwelling being narrowly accessed via a shared driveway and tightly positioned behind neighbouring dwellings, the site itself is a large plot, with open views to the countryside behind. When viewed from the rear, it is apparent that this extension would adequately fit within the site.
 14. I consider that the proposed extension would not, therefore, be contrary to the previous Inspector's concerns regarding future development at the site, given the scale, height and design of the proposal.
 15. In addition, the Council state that the proposal would be contrary to the Central Bedfordshire Design Guide Supplement 7: Householder Extensions and Alterations dated 2014 (Design Guide) that relates to side extensions and maximum widths of side elevations. Given the ad hoc siting of the properties in the area it is difficult to apply the principles of the Design Guide to this location. This is particularly the case in relation to the appeal site as, although the elevation fronting High Street could be said to be the front elevation, the front door to the property is on the wider side elevation. As such, I find this to be the front elevation as opposed to the side fronting the road. Therefore, the maximum width of side elevations does not apply in this instance. I have referred to this as the principal elevation above.
 16. For the reasons referred to above, I conclude that the proposed development would not result in a detrimental impact upon the character and appearance of the surrounding area. It would preserve or enhance the character or appearance of the Conservation Area and would preserve the setting of nearby listed buildings to reflect the statutory tests. The proposal would not, therefore, conflict with Policies DM3 and DM13 of the Core Strategy and Development Management Policies - North 2009, and with the Design Guide, which amongst other things, seek to ensure that development proposals are sensitively designed to sit comfortably within their environs.
 17. The National Planning Policy Framework (Framework) states that the greater the importance of the heritage asset, the more weight that should be attributed to it, amongst the protection it affords to the historic environment. In this instance I do not find that this overall modest proposal would harm the designated heritage assets.

Other Matters

18. Whilst I note the concerns of the Parish Council with regard to the potential for a first floor extension, this does not form part of the appeal proposal and would in any event need to be the subject of a separate application.
19. I note that the Central Bedfordshire Local Plan has reached submission stage and was submitted to the Secretary of State on 30 April 2018. However, this does not alter my views in the determination of this appeal, as the emerging Local Plan is not proposing to change substantively the stance of the current development plan on the main issue.

Conditions

20. I have had regard to the advice in the Framework and the Planning Practice Guidance when considering the conditions.
21. As well as the standard time limit condition, in order to provide certainty in respect of what has been approved I have imposed a condition specifying the approved drawing. I have also attached a condition relating to the proposed materials to maintain the character and appearance of the area.

Conclusion

22. For the above reasons and having considered all the matters raised in evidence I conclude that the appeal should be allowed, subject to the conditions.

Gemma Jenkinson

INSPECTOR