



Appeal Decision

Site visit made on 1 July 2019 by G Sibley MPLAN MRTPI

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 July 2019

Appeal Ref: APP/K0235/D/19/3228495

Holly Lodge, Church Lane, Oakley MK43 7RP

- 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 Martin Clohisey against the decision of Bedford Borough Council.
 - The application Ref: 18/03123/FUL, dated 3 December 2018, was refused by notice dated 25 February 2019
 - The development proposed is erection of detached double garage.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of detached double garage at Holly Lodge, Church Lane, Oakley MK43 7RP in accordance with the terms of application Ref: 18/03123/FUL, dated 3 December 2018 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) Before development commences, details of a no-dig approach to groundworks and foundation design shall be submitted to the local planning authority for its approval. The development shall be carried out in accordance with the approved details.
 - 3) The development shall be carried out in accordance with the approved plans listed: Drawing Nos: P001 and BLJT-00758400.
 - 4) Notwithstanding condition 3) above, the external surfaces of the development hereby permitted shall be constructed using the following materials: external walls stained featheredge boarding, roof in plain tiles to match existing dwelling.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the proposed development upon the character and appearance of the street scene.

Reasons for the Recommendation

4. The site is located to the south of Church Lane behind a tree belt that runs along the length of Church Lane and is covered by a Tree Preservation Order. The surrounding

area is in a predominantly residential area in character. The garage would be located forward of the main building but behind the tree belt. Whilst the buildings to the east of the appeal site do generally follow a shared building line, the group of dwellings around the site appear to have been built at a different time to those dwellings. These dwellings do not follow the regular plot pattern or building line established by the dwellings to the east. The building line would not appear to clearly relate to the appeal site. The garage would be set back behind the tree belt and the proposed development in front of this building line would not be detrimental to the appearance of the street scene.

5. The existing shed is partially obscured by the tree belt and is not particularly visible from the roadside. Whilst the proposed garage would be larger than the existing shed it would still be a single storey building and would be constructed from wood. As such it should blend into the tree belt. It would not be an overly dominant building in the context of the site and its immediate setting. The garage would be visible to pedestrians though the tree belt, but it would not appear over-dominant in the street.
6. There are dwellings with associated outbuildings to the south of Church Lane visible through the tree belt. Domestic scale outbuildings are not untypical of the locality. The proposed location of the garage would not be out-of-keeping with the general residential character of the area. Consequently, the garage would not be overly visible from the public realm and due to its size and design it would not appear out of character for the area.
7. I find that the proposed development would not have a significant adverse visual effect upon the character and appearance of the street scene. Accordingly, the scheme would comply with Bedford Borough Local Plan Policy BE30 and Policy NE18 and Policy CP21 of the Development Plan Document Core Strategy & Rural Issues Plan which requires developments to design in quality.

Other Matters

8. Turning to concerns about the effect upon neighbours, the proposed garage would be a single storey building and its location would not have a materially harmful visual effect upon outlook. There is concern about the future use of the garage, however the proposal before me is for a residential ancillary use of the garage. Concern about overhanging of the shared driveway is a matter that can be addressed through other regulations. There would be enough space on site within the appellants ownership for alternative on plot parking.

Conditions

9. The commencement and approved plans conditions have been imposed for certainty. The Council and appellant suggest a condition requiring the submission of details of a no-dig approach to groundworks and foundation design. Details would need to be submitted before development commences. Given the location of protected trees, this condition is reasonable and necessary. A slightly amended version has been imposed.
10. The Council suggest a condition stipulating that the materials used on the outer surfaces should match those used in the existing dwelling. The dwelling is brick built whilst the garage would be constructed from stained featheredge boarding as identified in Section 5 of the application form. It is therefore necessary to impose a condition requiring the garage to be built in materials stated on the application form.

Conclusion and Recommendation

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be allowed subject to conditions set out at paragraph 1 above.

A U Ghafoor

INSPECTOR